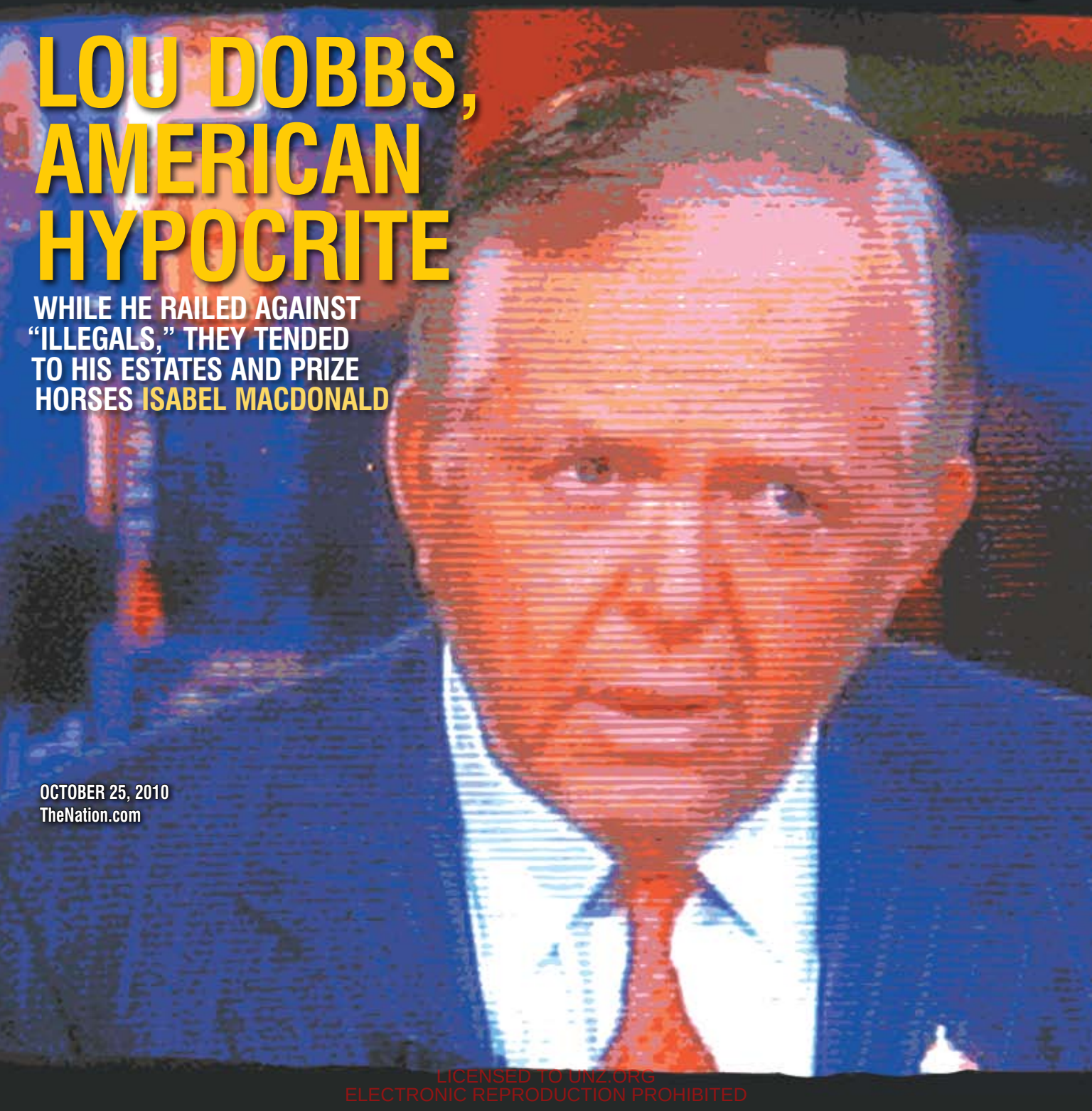
ARI MELBER AND STUART KLAWANS ON *THE SOCIAL NETWORK*

THE Nation.



LOU DOBBS, AMERICAN HYPOCRITE

WHILE HE RAILED AGAINST "ILLEGALS," THEY TENDED TO HIS ESTATES AND PRIZE HORSES ISABEL MACDONALD

OCTOBER 25, 2010
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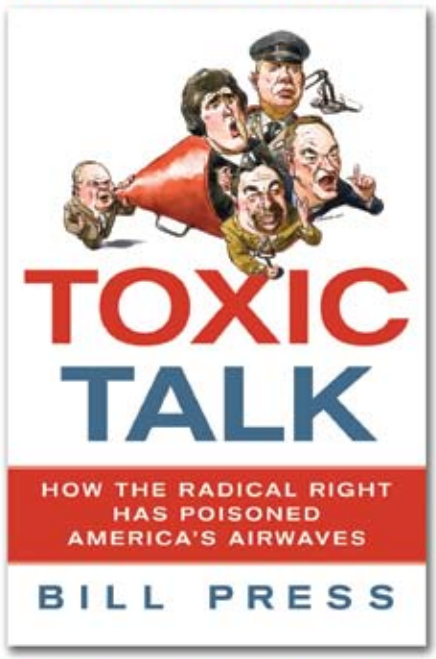

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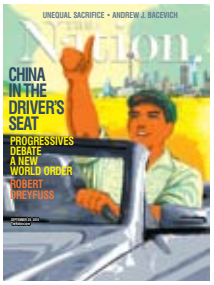

China's Crouching Tiger?

New York City
The *Nation* editors must have been giddy over breaking the Fuck Barrier three times in one article, Robert Dreyfuss's "China in the Driver's Seat" [Sept. 20].
William Gamble

Berkeley, Calif.
Robert Dreyfuss obscures the serious debate within the AFL-CIO over how to work with China's insurgent labor movement challenging the decrepit dictatorship. He muses about China as a new world power, unencumbered by antiquated remnants of the past century like trade unions and a free press. International corporations have found a gold mine in the cheap labor offered by this gangster regime.

The debate in the AFL-CIO is more serious. As a union member since the age of 16, I think Andy Stern and Katie Quan are right. An obvious analogue of the ACFTU, the official Chinese union, is John L. Lewis. A classic labor bureaucrat who worked to elect Herbert Hoover, Lewis was also a shrewd politician. He responded to the labor upheaval provoked by the Depression by leading the fight to found a new federation dominated by industrial unions. The ACFTU seems to be playing a similar role.

But like Lewis, the ACFTU is reacting to a popular movement from below. And groups like Human Rights Watch and Amnesty International are, in fact, the best allies of unionists like Stern and Quan. They help keep the pressure on the ACFTU by highlighting the crimes of the Chinese authorities and popular resistance to them. *The Nation* should invite contributions from the contending sides in the AFL-CIO debate, as well as human rights groups.
E. Haberkern

State College, Pa.
I have been to China, and having spent a large chunk of my life as part of the working poor, I picked up on some situations that seem to be invisible to upper-middle-class academics. China is a brutal, self-serving oligarchy that, unlike Russia, at least has the decency not to have democratic pretensions. The Chinese people are doing what they've always done, for emperors, colonial masters or politburos, only now the whole world can witness the "miracle."

China is the laboratory for a new quasi-feudalistic economic model led not by dynasties but by a corporatist state. There is no safety net—either work for pennies or die. Most of the "middle class" are related or somehow connected to the Politburo (the new emperor, if you will), and a large peasant class is a familiar and comfortable component of Chinese culture.

The idea that China will allow a comfortable existence for 20 to 30 percent of its population is a projection of Western liberalism. This type of progressive idealism makes me wonder if I am the only blue-collar liberal left in America. No wonder we're getting our butts kicked.
Tim Dunleavy

Seattle
As an instructor of Chinese history, I must point out that China's rise to relative wealth is not a story of a government seeking global dominance but of a people escaping centuries of exploitation by using the very philosophies that were used against them. When Western ships started to trade in southern China 200 years ago, the Chinese did everything to keep them out and preserve their own way of life. Britain used "free trade" to justify launching the Opium War, as its government supplied massive support to its "private" adventurers (of course, Britain was heavily in debt to China). Two hundred years later, the Chinese have learned to beat the barbarians at their own game. To call this "authoritarian capitalism" is a little ironic.
Mahlon Meyer

Clover's 'Busted'

Cambridge, England
I'm sure many readers, like me, found Joshua Clover's review "Busted" [Sept. 20]

(continued on page 26)

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Make It Legal

On September 29 we witnessed the tearful press conference of Nicky Diaz, the former housekeeper for California gubernatorial hopeful Meg Whitman. Diaz had been in Whitman's employ for nine years, cleaning her opulent house and fetching her kids from school while Whitman rose to become *Forbes*'s top woman in business. It was only after Whitman decided to run for public office, launching a campaign that has at times been vehemently anti-immigrant, that she "discovered" that Diaz was undocumented and fired her.

EDITORIAL

Now Lou Dobbs, the former CNN host who made his name with nightly rants against "illegal aliens" and their "illegal employers," joins Whitman's ranks. It turns out that Dobbs has employed at least five undocumented workers in recent years through his landscaping and horse stable contractors. Like Whitman, who may have received a Social Security no-match letter and knew Diaz was unable to travel outside the country, Dobbs and his champion horse-riding daughter, Hillary, must have been in deep denial. The landscaping and horse grooming trades depend heavily on undocumented workers. One immigrant who tended the gardens at a Dobbs estate said the landscaping contractor who employed him never pushed for a "good Social Security number." Dobbs told his gardener to call him "Luis." Whitman described Diaz as "a friend of our family." Yet there appears to have been a tacit understanding in these friendly relationships: some things would not be discussed.

With the investigative report in this issue by Isabel Macdonald, we are not out merely to play a game of gotcha. Of course Whitman and Dobbs are hypocrites: they have called publicly for tougher enforcement of immigration laws, claiming it is necessary to protect American workers and their wages, while privately refusing fair pay and humane treatment to their own immigrant workers, who were too afraid of getting caught in the enforcement net to stand up for their rights. Instead they were left working extra hours off the clock (Whitman's maid) or earning poverty wages (Dobbs's gardeners). But the more important revelation here is that undocumented workers are so thoroughly woven into the fabric of our economy that even two professional immigrant-bashers found it difficult to avoid relying on their labor.

On any given day, we've all probably eaten fruit harvested by undocumented workers or meat they butchered. These workers also make possible the lifestyles enjoyed by wealthy Americans like Dobbs and Whitman, with their estates and grounds and stables. How these millions of workers could be extracted from their jobs and deported without causing massive disruption not only to their lives but to the entire economy defies the imagination. Yet this is what Dobbs demands with his call for ever tougher enforcement.

Despite its populist veneer, the anti-immigration hysteria fomented by Dobbs and his ilk pits American workers against immigrants for the benefit of the corporate class. The United Farm Workers recently called the bluff of those who accuse immigrants of job-stealing with their Take Our Jobs campaign, in which US workers were invited to join them in their backbreaking toil—and found very few takers (aside from Stephen Colbert).

If immigrants had a straightforward path to legalization, they could step out of the shadows of the US economy and stand with American workers to demand decent treatment for all. That might make it slightly more expensive for Lou Dobbs to maintain his multimillion-dollar properties—but it's a price he ought to pay.

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Obama's Long War

Bob Woodward's book *Obama's Wars* should scare the hell out of you. It is essential reading—between the lines—for anyone seeking a map out of Afghanistan and Pakistan. Here is one example: if and when a terrorist attack occurs in the United States that can be traced to Pakistan, the American military response will be a "retribution plan" to bomb at least 150 targets in Pakistan. The plan is "one of the most sensitive and secret of all military contingencies," Woodward writes. There is no discussion of The Day After in this scenario of saturation bombing. That's another secret.

COMMENT

Such an attack on American soil was attempted this year, when Faisal Shahzad, who was funded and trained by the Pakistani Taliban, placed a car bomb in Times Square on May 1. Last year the FBI arrested an Al Qaeda operative, Najibullah Zazi, for planning to blow up New York subways with backpack bombs, as well as Chicago resident David Coleman Headley, for planning an attack in Europe. Both were trained in Pakistan. In addition, Woodward reveals a secret May 26, 2009, presidential briefing charging that at least twenty Al Qaeda cadre with Western passports were training in Pakistan for high-profile attacks in the West. He also says Al Qaeda is recruiting and training people from the thirty-five countries whose citizens don't need visas to enter the United States.

The reader is left with the impression that another massive and traumatic assault is to be expected in the near future. "We're living on borrowed time," says National Security Adviser James Jones. President Obama himself says, in his low-key manner, that "a potential game changer would be a nuclear weapon in the hands of terrorists, blowing up a major American city." Such is the new realism. As we await the "game changer," we learn that the Pentagon is already protecting us with a top-secret war in Pakistan, the new "center of gravity," plus an expedited escalation in Afghanistan featuring nightly raids by Special Forces. Between 2004 and 2007, there were only ten drone strikes; there have been seventy-eight in Pakistan so far this year, twenty-one in September alone—the most of any month. Night raids in Afghanistan have risen from 100 per month in May 2009 to 1,000 per month this past summer. The savagery is kept secret from the American people but not from the Muslim world.

That's not all. Woodward neglects to describe, at least for this book, the secret Long War already unfolding in at least nineteen countries, under a classified order signed by Gen. David Petraeus last year. But he does quote Petraeus saying, "This is the kind of fight we're in for the rest of our lives and probably our kids' lives." Even more disturbing is the strategic thinking behind the policy, as described by Jones in an interview with Woodward. According to Jones, the war is "certainly a clash of civilizations…a clash of religions…a clash of almost concepts of how to live." If the United States is not successful, NATO, the European Union and the United Nations "might be relegated to the dustbin of history." This passage underscores how the new "best and brightest" are so trapped in their assumptions that our future looks like a dead end. Only an intervention by the American people can save us

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Noted.

ATTORNEYS UNITED: With 2010 campaign spending predicted to top $5 billion—almost twice what was spent in 2006—it's clear the Supreme Court's decision to remove restraints on corporate spending has created a scenario where "big money" is moving to monopolize the democratic discourse. The need for a constitutional amendment to overturn *Citizens United v. FEC* could not be more urgent. But is it practical? A bipartisan group that includes a half-dozen former state attorneys general and dozens of the nation's leading legal scholars says yes.

A letter by the group to the House and Senate Judiciary Committee chairs argues that "the Supreme Court's creation of corporate 'speech' rights on which the Citizens United decision rests is contrary to the First Amendment as we understand it." Former Massachusetts Attorneys General **Frank Bellotti** and **Scott Harshbarger**, former Wisconsin Attorney General **Peg Lautenschlager** and other former state and federal prosecutors (including author **Scott Turow**) are joining **Derrick Bell**, **Charles Ogletree** and other academics to declare that *Citizens United* "was not only wrongly decided but presents a serious danger to effective self-government of, for and by the American people, a danger which must be addressed."

The letter, which was organized by **Free Speech for People** and **People for the American Way**, concludes that Congress must "explore all potential remedies, including proposals for a 28th Amendment to the Constitution to protect our democracy and self-government of the people." This represents the loudest call yet from the legal community for consideration of a constitutional amendment to prevent corporate cash from stifling democracy. JOHN NICHOLS

BRIDGE FUEL TO NOWHERE: Until recently the debate surrounding the surge in natural gas drilling has focused almost entirely on the hazards of hydraulic fracturing. But it's not only fracking we should be worried about; it's the whole process. The latest case in point is the September 9 explosion of a **Pacific Gas and Electric** pipeline in San Bruno, California, which killed eight people and destroyed more than thirty homes.

Like the **BP** oil spill, the PG&E explosion has revealed a longstanding pattern of industry negligence and impunity, along with profound lapses in federal and state oversight. According to the **Pipeline and Hazardous Materials Safety Administration**, since 1986 PG&E has had 132 "significant incidents" with its natural gas pipelines, resulting in eighteen deaths, sixty-four injuries and $41 million in property damage. Over the past five years alone, pipeline mishaps in the United States have killed sixty and injured 230.

In the wake of the explosion, **Barbara Boxer** and **Dianne Feinstein** have set out to rein in at least one aspect of the fast-growing industry. On September 22 the two introduced legislation that would tighten pipeline safety standards, double the number of federal inspectors and increase penalties for safety violations.

Meanwhile, the EPA is conducting a review of hydraulic fracturing, due out in 2012, that will assess the risks of deep shale drilling on water supplies and public health. And the **FRAC Act**, introduced in the Senate by **Robert Casey** and now in committee, would repeal the industry's exemption from the **Safe Drinking Water Act** and require oil and gas companies to disclose the chemicals they use to frack wells. Natural gas has been billed as a cleaner alternative to coal and oil, the bridge fuel to the future. Increasingly, however, it is looking like a lot of other big promises—namely, a bridge fuel to nowhere. ADAM FEDERMAN

CALI REFORM ROLLBACK: In 2006 the California legislature passed the landmark **Global Warming Solutions Act**, which mandated that emissions of greenhouse gases in the state must fall to 1990 levels by 2020. Many liberals hoped the Golden State's proactive approach would spill over into federal law, but as the economy falters, the reforms may be undone.

The reason is predictable: the billionaires of the fossil fuel industry are seeking to amend the act in November with an initiative known as **Proposition 23**. In a cynical move to try to pacify the middle ground, Prop 23 would suspend the act only during periods when state unemployment remains above 5.5 percent for four consecutive quarters (this has happened just twice since 1990). This allows the companies behind it—**Valero Energy**, **Tesoro** and **Occidental Petroleum**—to claim they are just doing what is best for the California economy.

Thomas Steyer, founder of **Farallon Capital Management**, personally donated $5 million to the movement to defeat the initiative. "I lost my temper and got involved," he said. "I can't conceive of it passing. We'd lose our jobs, our edge, and it would blunt any momentum for national energy legislation." The specter of the **Koch** brothers looms over Prop 23, with $1 million from a subsidiary of Koch Industries already donated to its proponents. "I think they've made a grave error, and I would invite them to withdraw," said Steyer. JENNIFER O'MAHONY

AZ GOP TO KIDS: DROP DEAD: In an effort to galvanize the GOP's already fuming base for the upcoming elections, conservatives have placed a slew of anti-tax and anti-spending initiatives on state ballots around the country. These measures, according to a new report issued by the **Ballot Initiative Strategy Center**, "play on the public's fears, disguising an assault on key public services as an attempt to restore health to the economy."

There's no starker example of the callous lengths to which conservatives will go than in Arizona, where the state legislature referred to the November ballot a proposition that would eliminate the state's early childcare program. "The government…has been doing things that people used to do for themselves," **Rick Murphy**, a Republican member of the Arizona House, said in March. Never mind that the program has provided at-risk preschoolers with care and nourishment at critical developmental stages. "The lasting effects of this can be negative, and they can be negative for a lifetime," **Carol Stambaugh** of the **National Association of Social Workers** Arizona chapter told the **Public News Service**.

If Arizona Republicans get their way, the most vulnerable in that state will no longer have access to early literacy programs, oral health treatments for infants and toddlers, or programs to prevent childhood obesity. Whatever happened to compassionate conservatives? MICHAEL C. TRACEY

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from this combination of blindness and paralysis, once described by historian Barbara Tuchman as "the march of folly." We need an urgent change of vision and strategy among Congressional doves and peace activists. Leadership and pressure will have to come from outside the circle Woodward depicts.

The good news from Woodward's book is that Obama—along with Vice President Biden and his domestic advisers—insists repeatedly on an exit strategy from Afghanistan despite the opposition of his military advisers and Hillary Clinton. He fears that his presidency and domestic program will be capsized by the forever wars. The president is quoted as recognizing that he "can't lose the whole Democratic Party" and that opposition to the war in Afghanistan will keep increasing on Capitol Hill as the next presidential election cycle nears.

The paradox is that Obama is escalating the war now in order to begin de-escalating sooner than his generals want, largely because of public opinion. CNN reported on September 29 that 58 percent of Americans oppose the Afghan war. Most recent surveys show that about 75 percent of Democrats and 60 percent of independents are opposed, while 60 percent of Republicans are in favor of the war—the same Republicans who will vote unanimously against Obama in 2012. The troubling news is that current peace sentiment is focused on the visible wars, with little or no ground for public opposition to the secret war in Pakistan and the global Long War. An opposition movement, therefore, will have to pursue two distinct lines: first, a broad public pressure campaign against the trillions of tax dollars and thousands of lives lost in the futile occupations of Afghanistan and Iraq; and, second, a steady educational campaign to frame the Long War as unsustainable and not in our security interest.

A sane exit strategy for Afghanistan, at least, is now on offer in a report by the Afghanistan Study Group, an ad hoc network of foreign policy experts assembled by the New America Foundation. To be sure, the report proposes de-escalation, not a complete troop withdrawal. It says little about Pakistan. The ASG represents the "realist" school of foreign policy, which de-emphasizes civilian deaths unless they affect US strategic interests. But in describing a process of extricating the United States from a war gone bad, the ASG report fills a gap where Congress and media have failed. It's a simple message that undecided voters need to hear: a reduction from 100,000 troops now to 68,000 by October 2011 and 30,000 by July 2012, accompanied by all-party talks and regional diplomacy. Recent reports of talks between Afghan President Hamid Karzai and the Taliban suggest that the ASG strategy is plausible, despite persistent Pentagon skepticism.

Afghanistan will remain at the center of media and political debate, and the secret war in Pakistan and elsewhere will probably intensify, with Obama determined to send ground troops secretly into Pakistan's tribal areas if the Pakistani army is reluctant. Attacking Taliban and Al Qaeda sanctuaries there is considered essential, even if Pakistan is destabilized in the process and even if Al Qaeda relocates elsewhere. And "there was always the prize: bin Laden," Woodward writes of the president's thinking.

The quandary for peace advocates is that it is politically impossible to question going after "the prize" of bin Laden's head. But that is akin to burning down a haystack to find a needle. Then would come blowback—and it could be fierce. According to Woodward, it is already under way, just malfunctioning so far. The Times Square car bomb was a "successful plot," according to US officials, because it was not detected by Western intelligence. The same is true of the airline bombing attempt last Christmas.

Generals and defense experts don't do exit strategies. The top Obama (and Bush) adviser on Al Qaeda, Bruce Riedel, wipes away the Ivy League gloss to tell Obama, "Until we kill them, they're going to keep trying to kill us." Asked to estimate how much the war will cost, Riedel tells the president he doesn't know—"that's politics, and not in my purview." If such groupthink prevails, the death spiral is inevitable.

TOM HAYDEN

Tom Hayden is a Nation *editorial board member.*

Calvin Trillin, Deadline Poet

Politico Reveals That All Non-Office-Holding Contenders for the Republican Presidential Nomination in 2012 Except Mitt Romney Are On the Fox News Payroll

Of hopefuls with viewpoints that fit,
Now Murdoch employs all but Mitt.
And Tea Party folks can't go broke,
Since things do go better with Koch.
Yes, that's the crusade that competes
To rid simple folks of elites.

The Antisocial Network

Sometimes there's nothing lonelier than a crowd. That's especially true on Facebook, a social network that has swelled to 500 million members because people really like being alone together.

Facebook was launched from the dorm room of Mark Zuckerberg—it would make him the world's youngest billionaire—but the site may not have started there. *The Social Network*, the first blockbuster movie spotlighting the digital infrastructure of the millennial generation, traces three competing stories about Facebook's birth.

First, there is the archetypal entrepreneur outsmarting the entire establishment. As a child, Zuckerberg hacked through security systems designed by adults. As a brash Harvard drop-

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out, he mastered the alchemy of computer code, turning strings of symbols into programs and experiences that people have come to need on a daily basis. (Americans now spend more time on Facebook than on the next five most popular websites combined.) This is the capitalist narrative that runs closest to Facebook's popular press coverage.

COMMENT

Then there is the accusation of a more sinister alchemy: the theft of other people's ideas and property, especially of the intellectual and intangible sort, for Zuckerberg's private gain. The Winklevoss twins, a pair of sculpted Harvard rowers who commissioned Zuckerberg to build their model for a college social network, press this case. (The real brothers won big, ultimately settling a lawsuit with Facebook for $65 million.)

Finally, inevitably, there is plain old greed. Zuckerberg's best friend and business partner, Eduardo Saverin, is the most responsible and trusting character in the film, and the upstart company screws him the hardest. Even though Saverin is the co-founder and original investor in Facebook, his shares get slashed in an accounting scheme he naïvely approves, thinking that the company lawyers are acting in his interest. Then he gets his own lawyers. (Facebook settled with Saverin, too.)

The dazzling script, written by Aaron Sorkin, presses these dueling cases in a vigorous, slashing onslaught, but it does not resolve them. "I wanted to go for a *Rashomon* quality," Sorkin recently said after the movie's premiere at the *New Yorker* Festival, so he chose a courtroom drama motif to play out the conflict. All the pretty young plaintiffs came in handy.

The Social Network jumps from depositions in shimmering corporate conference rooms to flashback clashes between angry, entitled elites. Sorkin, who wrote one of the most acclaimed modern courtroom scenes in *A Few Good Men*, says he pored over legal documents, conducted background interviews with participants and trolled through online detritus to reflect developments at the time. "Nothing has been invented in this movie to Hollywood-ize or sensationalize it," he emphasizes. The real Zuckerberg lived loudly online. While there is no co-author credit, Sorkin uses Zuckerberg's words, archived online so many years ago, for several scenes. The web never forgets.

An opening scene uses a blog post Zuckerberg wrote, intoxicated, during his freshman year, when he aired cutting and sexist attacks on a woman who'd just dumped him. The Internet is written in ink, not pencil, she had once told him, but permanence and sensitivity were not Zuckerberg's priorities at the time.

The film, thankfully, avoids the simplistic lectures that pervade many stories about social media but it also fails to tackle how Zuckerberg's values, which are largely Facebook's values, impact the lives of its huge user base.

The young Zuckerberg thought nothing of conscripting people's pictures and personal information into his web experiments. He not only did it without their consent but without their knowledge. Forget blogging about an ex. An early scene in the movie shows Zuckerberg lifting pictures of hundreds of women students across campus, posting them on a site called Facemash and inviting male peers to decide who is hottest. Harvard disciplined him at the time, but Zuckerberg soon developed more subtle ways to separate people from their privacy.

Facebook forces users, including minors, into legal agreements granting the company perpetual rights to personal information, pictures and data shared on the site. (That would be like an e-mail provider asserting copyright over everything people send.) It has also repeatedly launched controversial programs to track and sell users' private information. There was "Beacon," an aggressive campaign using people's purchasing habits to cast them in personalized ads, without a heads-up, let alone royalties. (It was revised after a sizable user backlash.) Then there was "Places," a tracking program that Facebook launched this past summer, which enables users to publicize their whereabouts in real time and, despite the privacy and security implications, the live locations of other people without their consent. It's like a crowd-sourced National Security Agency.

In possibly the most intriguing scene in *The Social Network*, we see Zuckerberg's critical epiphany as he moves from Facemash's petty theft to the elaborate transfer of intellectual property that will power Facebook. If the new site is established as cool and "exclusive," he declares, students will clamor to give away their pictures and information just to get in.

The rest is history. Now, as Facebook continues to shape norms online and set the bar for aspiring start-ups, it is worth remembering the premise that it was built on. A few more lines from Zuckerberg, which are not quoted directly in the movie, capture the sentiment perfectly. Flush with thousands of profiles submitted by his peers, Zuckerberg typed out his thoughts via instant message to a friend at Harvard:

ZUCK: yea so if you ever need info about anyone at harvard
ZUCK: just ask
ZUCK: i have over 4000 emails, pictures, addresses, sns
[REDACTED]: what!? how'd you manage that one?
ZUCK: people just submitted it
ZUCK: i don't know why
ZUCK: they "trust me"
ZUCK: dumb fucks

ARI MELBER

Ari Melber (arimelber.com) is The Nation*'s Net Movement correspondent.*

She Bop

Neither plague, nor war, nor smallpox, nor a crowd of similar evils, have resulted more disastrously for humanity than the habit of masturbation: it is the destroying element of civilized society.

Religion was never alone on the ramparts of sexual repression. Science, in the form of the *New Orleans Medical & Surgical Journal*, contributed the above-cited opinion in 1850. In the same era, American hospitals began circumcising infants as a pre-emptive strike against future self-abuse. The procedure was no more prompted by hygiene than graham crackers or corn flakes were invented to relieve constipated geezers. Such bland high-fiber foods, Sylvester Graham and John Harvey Kellogg theorized, would dampen a boy's lustful enthusiasms. Dr. Kellogg, a respected sex educator who had a sexless marriage and

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a fetish for enemas, advocated the circumcision of incorrigible adolescent masturbators, without anesthetic, for its "salutary effect upon the mind, especially if it be connected with the idea of punishment." Alternatively, a boy's penis could be stitched into his foreskin with silver sutures; for girls, Kellogg suggested a touch of carbolic acid to the clitoris. Cheerio.

It took more than a century of suffering or shaming or both, but masturbation is finally out of the closet, if not exactly into the streets. Science, this time in the form of the National Survey of Sexual Health and Behavior, conducted by researchers at Indiana University, asked 5,865 Americans between the ages of 14 and 94 detailed questions about their sexual practices and found what any realist has always known: people enjoy getting off. They get themselves off from adolescence to old age, alone or with a partner; and the army of avowed self-abusers appears to have swelled with time.

Among people 70 or older, according to preliminary data from the study, published October 1 in *The Journal of Sexual Medicine*, 80 percent of men and 58 percent of women have masturbated solo over a lifetime. Not bad, but the figures increase with each younger age cohort until we find a veritable generation of wankers, people age 25 to 29, whose lifetime rates peak at 94 percent among men and 84 percent among women. Masturbating with a partner is skewing in the same generational direction, only more dramatically.

It's not unexpected that men across the ages masturbate (or admit to it) at higher rates than women, but the study holds a few surprises. There hasn't been a broad national survey of sexual behavior in America since 1992, and this is the first to include old people and teenagers and the first to ask about mutual masturbation, among other things. Who could have guessed that more than 57 percent of old ladies in noncohabiting relationships were rousing themselves to ecstasy in their homes between March and May of 2009, when the data were collected? America may not rightfully be called a civilized society, but at least the human spirit endures in handmade fun.

There will be more to say about the Indiana survey as the full results come out, but its release now, on the heels of the most preposterous political preoccupation since 1994—when Bill Clinton fired Surgeon General Joycelyn Elders for saying that masturbation is a normal human behavior and should be acknowledged as such in sex education—has the tonic effect of exposing the gulf between what people actually do and what those who claim to speak for them seem able to say.

Back then, Clinton was given a firm atta-boy by virtually the entire media for sacking Elders, "a sort of off-to-the-left, out-of-the-mainstream, embarrassing person," in the scringeing estimation of ABC's dreadful Cokie Roberts. Two years later, in 1996, a Christian fireball named Christine O'Donnell was finding ecstasy in the Lord, crying and praising and shaking her groove thing in a congregation of believers, and taking a public position on masturbation that differed from that of Clinton and the press only in its honesty.

The youthful O'Donnell found Elders-style sexual views more dangerous than embarrassing, arguing that masturbation was a form of lustfulness and thus a temptation to be avoided in pursuit of chastity. An extreme position, to be sure, but less damaging from a powerless twentysomething than that of the president and his liberal corner, and well within the anti-sex stream in which the latter were swimming, at least publicly.

Skip ahead to September 2010 and, with O'Donnell the surprise GOP candidate for US Senate in Delaware, history became inconvenient, so jokes and fulmination would have to do. Gasbags of the right waved off as irrelevant the fact that the most notable aspect of their girl's résumé is a career obsession with sex, while liberals only tittered and sneered.

In an essay accompanying some of the Indiana study data in *The Journal of Sexual Medicine* Joycelyn Elders wrote, "We have finally included masturbation in our national conversation and as a result stopped checking our hands for growing hair"; you wouldn't know it from the days and nights of talk-media devoted to winks and nudges over the adventures of young Christine. If there was a liberal commentator who took sex as seriously as O'Donnell had in her passionate abnegation, only from the other side, I missed it. No one said, Come on, masturbation is one of the great, free joys of life; powerful, relaxing, instructive too; as common as rain and as good for you. No one punctured the absurdity of public squeamishness on the issue and argued plainly, like the Spanish socialists in Extremadura with their campaign for youth, that "pleasure is in your own hands!"

Instead, it was 1994 all over again. The liberals laughed not because they're so at ease with the subject but because they're so embarrassed by it. Everything in the tone of discussion made masturbating somehow weird and vaguely dirty, a compulsion of the young and consolation of the lonely, perhaps; but in that a little disgusting too, a little sad, not quite sex, never as good as "sex," almost unspeakable, really. MSNBC's Rachel Maddow called it "you-know-whating." Yes, I know, that was a joke.

The real joke, though, is that after warning about masturbation as an affront to purity, what the fervent Christine was saying in the video clip Maddow broadcast was a variant on something I've heard from liberal women for years. "If he already knows what pleases him and he can please himself, then why am *I* in the picture?" O'Donnell said, making a moue with her mouth, cocking her pretty head, the very image of sass and sanctity. In other words, wankers are loners, and "I've never masturbated; I always had a boyfriend," or "I don't do it; I'm married," or "I want him to know how to bring me off, but I could never masturbate in front of him!"

If the Indiana survey simply blows a hole in the notion that masturbating is always and everywhere a lonesome practice, and thus forwards the fact that self-abuse is often also a lesson in self-knowledge, corporal mysteries, erotic response and how-to-have-fun-with-a-friend, maybe we can finally be done with shame, and with the coy and irksome way the press talks about this very homely pleasure.

In the meantime, Christine O'Donnell the candidate may be onto something. Having never actually betrayed embarrassment about sex but rather, in the manner of Catholic mystics, made chastity the crucible of her passion and desire, she is, in renunciation, as potently sexual as a siren. Her latest TV ad is smooth as a seduction: "I'm you." JoANN WYPIJEWSKI

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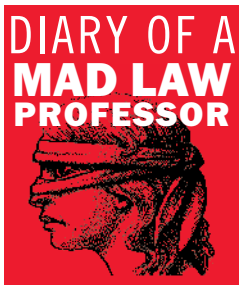
Patricia J. Williams

Marvels, Madness, Medicine

In the January 2011 issue of the *Journal of Policy History*, Susan Reverby, a historian at Wellesley College, will publish a paper detailing a particularly sordid moment in American history. From 1946 to '48, the Public Health Service, with the assent of some Guatemalan officials, engaged in medical experiments on 700 Guatemalan soldiers, prisoners, mental patients and children. The documents Reverby discovered show that doctors intentionally sickened many of their subjects with syphilis, either by injecting infected fluids into their spines and under their skin or by supplying them with afflicted prostitutes.

Of course, this horrendous project arose from "the best of intentions"—to improve serological testing for the disease and to measure the degree to which penicillin and other medicines could act prophylactically. The US military was also interested in finding STD protections for soldiers that might be simpler and less painful than those available at the time. Ultimately, the observations in Guatemala were inconclusive because it proved harder than anticipated to infect sufficient numbers to constitute an adequate data set.



The doctor in charge of the two-year project was John Cutler, an assistant surgeon general who, in his later years, was a "beloved" professor at the University of Pittsburgh School of Public Health. It was in his archives that Reverby found notes and photographs documenting the existence of the project. Even before this revelation, however, Dr. Cutler's long-term legacy was one of infamy: he was one of the main researchers in the Public Health Service's Tuskegee Syphilis Study, in which black sharecroppers went purposely untreated from the 1930s to 1972, when the project finally was exposed. In 1944, moreover, Dr. Cutler directed a study in which gonorrhea was injected into prison "volunteers" at the state penitentiary in Terre Haute, Indiana. And in 1953, after returning from Guatemala, he resumed his experiments with syphilis injections, this time with prisoners in Sing Sing prison in New York.

Dr. Cutler's experiments, while horrific, were not unique. Nonconsensual medical experiments were a prominent feature of South Africa's oppressive regime. In America, we know about the military's experimentation with atomic radiation on unwitting soldiers and patients from the 1950s to the '70s and experiments with LSD in the '70s. In the '90s New York City foster children were used to test the effects of certain unlicensed drugs for AIDS. And let's not forget all the "tests" done at Guantánamo Bay.

It's important to understand how we repeatedly deceive ourselves into appalling forms of corruption by wrapping ourselves in the language of high standards. Reverby cites a telling quote from the 1967 autobiography of virologist Thomas Rivers: "I tested out live yellow fever vaccine right on my ward in the Rockefeller Hospital. It was no secret, and I assure you that the people in the New York City Department of Health knew it was being done…. Unless the law winks occasionally, you have no progress in medicine." Rationalization has ever been thus: it's humanitarian in the long run. We confuse, in other words, motives and means.

The Holocaust Memorial Museum posits three contexts in which nonconsensual medical experimentation took place in Nazi Germany: first, in military organizations, premised on rationalizations of security, exigency and defense; second, in the hunt for new pharmaceuticals and treatment methods; third, in conjunction with ideologies of racial, ethnic or religious superiority in which "common sense" dictates that some humans are less valuable than others and can be sacrificed for the "greater good." The moral lesson of the Guatemalan experiment ought to spur public conversation and review of all these areas. My list of topics would include:

1. The Biologic and Toxin Weapons Convention is increasingly converting research facilities into biodefense containment labs. A 2004 *American Journal of Public Health* article points to "inadequately characterized risks," as well as concern that the program is informed by a "political rather than health agenda."

2. The weakened condition of the FDA means that many drugs have been inadequately vetted before coming to market. The scandals involving Vioxx and Avandia are great failed experiments inflicted on a trusting, unsuspecting public.

3. Pharmaceutical companies and venture capitalists are investing in miracle drugs and testing by seeking out very poor people as "volunteers" in exchange for "medical treatment" or for token amounts of money that are dwarfed by the health risks involved.

4. Our consent procedures must be scrupulously overseen and updated, particularly where "volunteers" are used in places like prisons, mental health institutions, foster care or orphanage settings or on populations living under oppressive regimes. (As Reverby points out, Guatemala in the '40s was essentially run by the United Fruit Company.)

5. Germ line therapy and genetic manipulation will increasingly implicate future generations. We must ask ourselves if our present zeal for "transhuman," "gen-rich," "enhanced" versions of ourselves is but a vast experiment in narcissism.

Scientific revolution always tempts us with blinding hubris. How else could Dr. Cutler engage in experimentation at the same time as and of the very sort for which the United States was prosecuting Germans in Nuremberg? So while President Obama issues a formal apology to the people of Guatemala, we must interrogate our own freighted contemporary moment—of economic desperation, of rising nativism, of promises of hellfire to come, of soaring incarceration rates. These are divisions that have never been exploited to any good or decent end. ■

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Eric Alterman

Barbarians at the Gate

It's no secret that American conservatism has run itself off the rails just as it is poised to come to (legislative) power. Merely to list or categorize the self-evidently idiotic contentions one routinely hears from its most esteemed representatives could fill this magazine. And we all know about the role that talk-radio, cable television and the many-tentacled Murdoch empire have played in spreading hate and purposeful misinformation. What has frequently gone unremarked, however, is the mainstream media's role in empowering this bizarre barrage of BS.

Let's look at a few examples. On October 3 *Washington Post* pundit "dean" David Broder attempted to apply a fresh coat of varnish to the reputation of House Republican minority leader John Boehner. In decided contrast to Speaker Nancy Pelosi's "reflexive partisanship," which "voters are understandably sick of," Broder insists that "Boehner should be taken seriously," for—like a Boy Scout—he is "honest," "polite" and a "serious legislator." These virtues are apparently embodied by a man who, when asked on Chris Wallace's Sunday morning show whether he was aware that "a number of top economists say what we need is more economic stimulus," replied, "Well, I don't need to see GDP numbers or to listen to economists. All I need to do is listen to the American people, because they've been asking the question now for eighteen months, Where are the jobs?" In response to Democrats' willingness to use comedian Stephen Colbert to publicize the plight of farmworkers—almost entirely ignored by Congress despite rampant child labor exploitation and other violations of basic human dignity—the sage legislator replied that he found it odd that Democrats have "time to bring a comedian to Washington, DC, but they don't have time to eliminate the uncertainty by extending all of the current tax rates." Just try and make sense out of that sentence, Dean Broder. I dare you.

Of course, Boehner at least occupies an official position of influence in our government, however moronically he may choose to manifest it. When he says something of significance, it's fair enough to call it news. Newt Gingrich has no such position and continues to mouth off in a manner that makes Boehner sound like Maimonides. I never tire of pointing out that Gingrich was the most-booked guest on NBC's *Meet the Press* during the first year of Barack Obama's presidency, despite being the only ex–House speaker ever to be invited and despite a grand total of zero appearances by actually existing Speaker Pelosi, and despite both houses of Congress being controlled by the opposing party. And yet one would think that a private citizen who professes to believe that America requires a set of laws to prevent the imposition of Sharia law on its citizens, and who also claims to detect a danger from "a gay and secular fascism in this country that wants to impose its will on the rest of us," should be carted off to a rubber rather than a green room. Gingrich was recently reinvited to tout the work of Dinesh D'Souza, who is president of something called The King's College, which "teaches a compelling worldview rooted in the Bible," and who recently published a cover story in *Forbes* magazine in which he argued (wait for it) that, yes, "the U.S. is being ruled according to the dreams of a Luo tribesman of the 1950s. This philandering, inebriated African socialist, who raged against the world for denying him the realization of his anticolonial ambitions, is now setting the nation's agenda through the reincarnation of his dreams in his son." As the conservative writer Heather Mac Donald observed, the fact that this "fever dream of paranoia and irrationality" would appear in, much less on the cover of, a putatively respectable business magazine is "all too representative of the hysteria that now runs through a significant portion of the right-wing media establishment." And yet according to the man on *Meet the Press*, it offers "the most accurate, predictive model for [President Obama's] behavior."

Such talk is not merely crazy but also deeply dangerous. If what these guys say is true, what measures would not be justified in rescuing our country from this terrifying threat? It also inadvertently demonstrates the limitations of the MSM in playing their old-fashioned role as the gatekeepers of sanity, at the very least. The *New York Times* ran a story on the D'Souza article in which *Forbes* was given a chance to defend itself against the claim of factual errors. The problem, however, is not with the putative "facts" D'Souza uses but the poisonous context in which they are placed; something the rules of objectivity do not allow a reporter to state in a forthright manner. A similar limitation was on display a few days later when the Newspaper of Record published an obituary for the right-wing Jew-baiter and friend to Holocaust denial Joseph Sobran. The obit observed that the "witty, thoughtful" Sobran merely "took a skeptical line on the Holocaust." *Skeptical*? Seriously? I'm sorry, but for this to appear in the *Times*, of all places, is inexplicably weird. In 2002 Sobran gave a speech to the pro-Nazi Institute of Historical Review, modestly admitting that he was "incompetent to judge whether the Holocaust did happen." He had also argued that "Jews have been brilliantly subversive of the cultures of the natives they have lived amongst.… [Jews have supported] communism, socialism, liberalism, and secularism; the agenda of major Jewish groups is the de-Christianization of America.… Overwhelming Jewish support for legal abortion illustrates that many Jews hate Christian morality more than they revere Jewish tradition itself."

Holocaust denial, I'll admit, is not exactly relevant to the current right-wing agenda being whitewashed in the MSM. But it should serve as a warning of how bad things can get without a vigorous, self-confident press to demand accountability from demagogues who prey on the ignorance of the uninformed. ■

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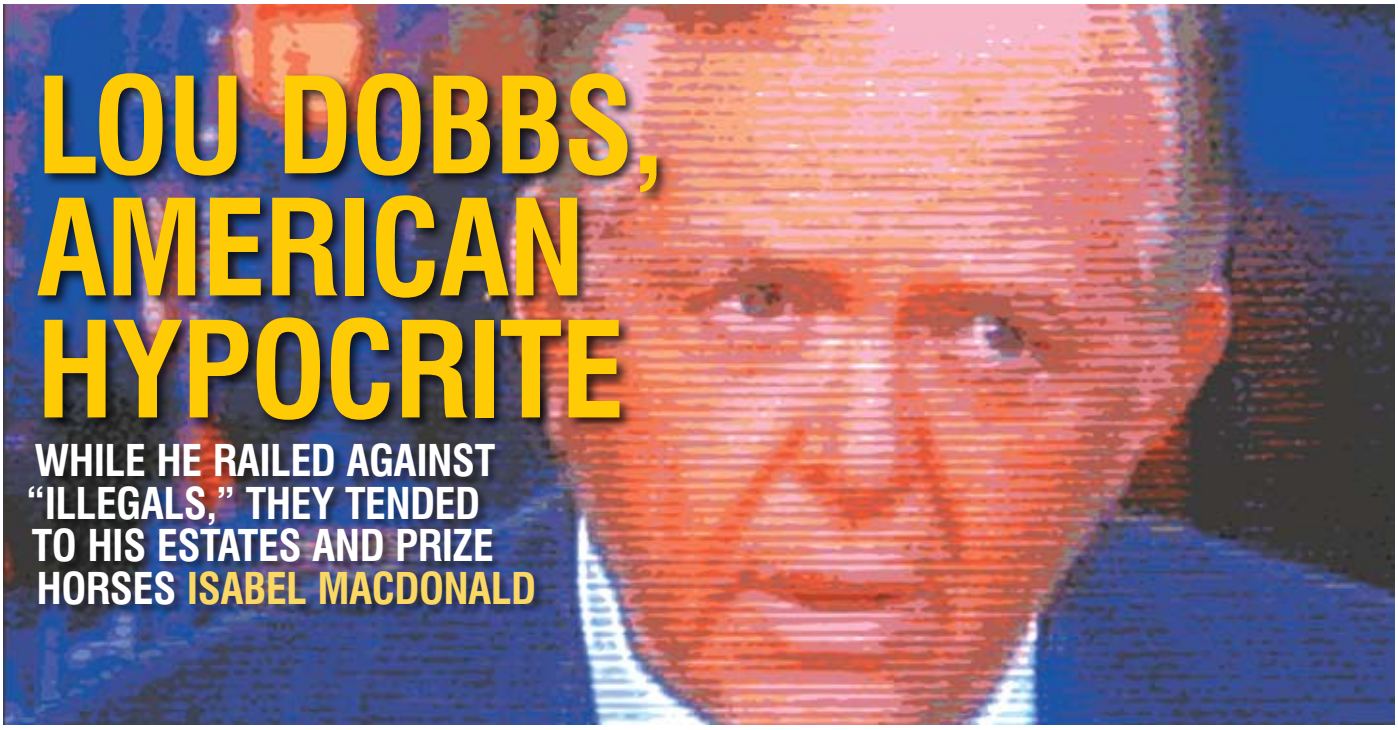

LOU DOBBS, AMERICAN HYPOCRITE

WHILE HE RAILED AGAINST "ILLEGALS," THEY TENDED TO HIS ESTATES AND PRIZE HORSES

ISABEL MACDONALD

In Lou Dobbs's heyday at CNN, when he commanded more than 800,000 viewers and a reported $6 million a year for "his fearless reporting and commentary," in the words of former CNN president Jonathan Klein, the host became notorious for his angry rants against "illegal aliens." But Dobbs reserved a special venom for the employers who hire them, railing against "the employer who is so shamelessly exploiting the illegal alien and so shamelessly flouting US law" and even proposing, on one April 2006 show, that "illegal employers who hire illegal aliens" should face felony charges.

Since he left CNN last November, after Latino groups mounted a protest campaign against his inflammatory rhetoric, Dobbs has continued to advocate an enforcement-first approach to immigration, emphasizing, as he did in a March 2010 interview on Univision, that "the illegal employer is the central issue in this entire mess!"

His scheduled October 9 address at the Virginia Tea Party Convention will mark his second major Tea Party address of the year, reviving questions about whether the former CNN host is gearing up for an electoral campaign. He recently told Fox's Sean Hannity that he has not ruled out a possible Senate or even presidential run in 2012.

But with his relentless diatribes against "illegals" and their employers, Dobbs is casting stones from a house—make that an estate—of glass. Based on a yearlong investigation, including interviews with five immigrants who worked without papers on his properties, *The Nation* and the Investigative Fund at The Nation Institute have found that Dobbs has relied for years on undocumented labor for the upkeep of his multimillion-dollar estates and the horses he keeps for his 22-year-old daughter, Hillary, a champion show jumper.

Dobbs lives in a sprawling white mansion on his 300-acre estate in Sussex, New Jersey, where he and his family run a horse farm. In 2005 he acquired another house—a spacious multimillion-dollar winter holiday home in Eagle Isle, the most exclusive enclave of the Ibis Golf and Country Club, a gated community in West Palm Beach, Florida. It offers his daughter a place to stay during her competitions at the Wellington Winter Equestrian Festival, one of the most important events in the horse show world.

Dobbs's daughter keeps five European Warmbloods, a breed that often fetches close to $1 million apiece. In the official results of her competitions, her horses' owner is always listed as The Dobbs Group—a corporate entity for which few details are available on the public record. However, incorporation documents and other state records reveal it to be a New Jersey company of which Lou Dobbs is president. This same company also owns the copyright on Dobbs's books.

The upkeep of Dobbs's multiple properties creates no small demand for labor in two sectors where undocumented immigrants are known to be particularly prevalent. Jay Hickey, president of the American Horse Council, the horse industry's main lobby group, suggested in 2009 that more than half of the workers in his industry are likely undocumented. Likewise, studies have found that undocumented workers make up an estimated 28 percent of workers in landscaping. In both of these sectors, the use of contractors is commonplace, so it is not surprising that Dobbs has relied on third parties to supply the labor he needs. Vicky Moon, author of *A Sunday Horse: Inside the Grand Prix Show-Jumping Circuit*, explained that contracting out the care of one's horses "alleviates the time involved in coordinating the horses' care, transport, and management but it also removes the responsibility of hiring competent grooms, providing housing and meals, possibly paying Social Security taxes, health insurance and, most important, making extra sure they are legal."

Dobbs has heaped scorn on the government for using con-

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tractors that hire undocumented immigrants. On CNN in 2007, he called private firms that oppose verification requirements for their contractors' employees "ridiculous." Yet interviews with several such employees show that Dobbs has been far from vigilant about the status of workers laboring on his own properties.

"I Looked After Dobbs's Horses While I Was Illegal"

This year, Hillary Dobbs became the youngest-ever horse show rider to win $1 million in prize money. While all horses require extensive maintenance, the labor entailed in the upkeep of competition horses like the ones ridden by "Dobbs's million dollar baby" (as the *New York Post* dubbed Hillary) is particularly strenuous.

Every November, all five of The Dobbs Group's show-jumping horses must be transported from their summer stables in Vermont to their winter stables in Wellington, Florida. The workers are transported to the tropics too, returning to New England with the horses in April. They ride in trucks each way alongside their expensive equestrian charges, tending to the horses' needs throughout the thirty-two-hour journey. Their return to Vermont marks the start of a new annual circuit of horse shows—an exhausting schedule during the spring, summer and fall months that entails constant travel between their Vermont base and horse shows around the country. At these shows, it is not unusual for the grooms who care for Dobbs's horses to rise in the middle of the night or in the predawn hours to clean, brush and prepare the horses for a training session or early morning competition.

One immigrant who groomed Dobbs's horses for more than two years without papers said he often worked thirteen-hour shifts.

For years, undocumented immigrants from Mexico have been relied upon to meet these labor demands.

A 36-year-old Mexican immigrant I'll call Marco Salinas was working with a group of horses in a stable at the bustling Wellington Winter Equestrian Festival when I approached him for an interview. (Fearing deportation or job loss, Salinas, like the other workers interviewed for this story, asked that neither his real name nor the name of his employer be used.) Several hours later, when he finished his ten-hour workday, Salinas recounted how he had come to the United States five years ago for a job. Seated on an outdoor bench near the stable, the Mexico City native told the story of how he had crossed the Yuma Desert on foot, from the Mexican city of San Luis Río Colorado and into the United States, eluding the border patrol.

Salinas said he braved the journey for one reason—because he had the promise of a job on the other end. An old friend of Salinas's worked as a groom with some of the horses owned by Dobbs, and he had sent word that Salinas could be hired on as a groom at the Vermont stable contracted to care for the Dobbs Group horses.

Salinas got the job, he said, and worked at it for more than two years without documents until he was finally able to obtain a guest-worker visa designed for seasonal foreign workers (the same kind of visa denounced as a form of "indentured servitude" on Dobbs's CNN show).

I asked Salinas, still clad in his work clothes—a polo shirt and jeans—about Dobbs, the owner of the horses he cared for. But the father of three simply flashed a disarming grin, let out an easygoing laugh and politely declined to comment.

In his work as a groom for Dobbs's horses, Salinas said he regularly started at 5 AM and did not get off until after 6 in the evening. According to Pedro Gomez, another undocumented worker, who cared for Dobbs Group horses in Vermont and Florida, the workday during horse shows like the three-month-long Wellington Winter Equestrian Festival was typically twelve hours or longer.

I caught up with Gomez, who cared for Dobbs's horses for a year in 2008 and 2009, at a different Florida stable, where he now works. A native of the Oaxaca region of Mexico, Gomez, now 24, came to the United States to work when he was only 18. Seated on a plastic chair in the dim stable, wearing baggy blue jeans and a T-shirt, he told me he desperately wants legal status. "My situation with immigration is bad," he said, "because I [still] don't have papers." For him, documentation would mean "better work."

When Gomez worked for the Vermont-based stable contracted by Lou Dobbs, his wages were $500 per week, and he typically worked sixty-five hours, meaning he was earning only slightly above minimum wage. During shows in which Gomez was caring for the Dobbs Group horses, Dobbs's daughter would sometimes give him a $100 weekly tip, according to Gomez. But he says he was never paid overtime.

While there is some disagreement over whether federal labor laws apply to horse stable workers, according to West Palm Beach labor lawyer Jill Hanson, the working conditions described by these stable workers likely violate both the federal Fair Labor Standards Act—which requires time-and-a-half pay for hours worked beyond a forty-hour workweek—and a Florida law that requires overtime pay for any workday longer than ten hours.

I sat down with Marco Esperanza, 39, another Mexican worker who cared for Dobbs Group horses, after hours in the stable where he was then working in Wellington, Florida. Seated on the concrete barn floor, his back against the wooden siding of a horse stall, he explained that the work requires him to "be available twenty-four hours a day." When a horse is sick, Esperanza said, "it doesn't matter what time it is: in the night or at dawn, you have to check the horse. You always, always have to be at work." When I asked whether he had a green card or guest-worker visa while he worked for the stable hired by Dobbs, he shook his head: "I looked after Dobbs's horses while I was illegal."

At the Vermont stable that cared for the Dobbs Group horses from spring through autumn while Gomez worked there, the

Isabel Macdonald is a freelance journalist and former communications director of the media watch group Fairness and Accuracy in Reporting. *Research support for this article was provided by the Investigative Fund at The Nation Institute.*

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workers lived right at the horse barn. This arrangement has benefits, as Gomez points out; for example, the workers don't have to pay rent. However, according to Gomez, their quarters—a two-bedroom apartment on the top floor of the barn—were extremely crowded. When Gomez lived there, nine workers were packed into the small apartment, and he had to share a bedroom with four of them.

When I asked whether the Dobbs family knew that undocumented workers were caring for their horses, Gomez responded by saying that at least in the case of Hillary Dobbs, "I believe she knew." The stable owner knew "that some people didn't have papers," Gomez said, and had even taken precautions to keep the workers away from the immigration agents who often patrol the areas around horse shows. Gomez said it was hard to believe that Dobbs's daughter, who was in close contact with these undocumented workers almost every weekend, could have been unaware of their status.

Hillary Dobbs did not respond to repeated attempts to contact her for comment.

"The Pay Is Bad" for Work in Dobbs's Gardens

Nor are stable workers the only undocumented immigrants who have worked on Dobbs's properties. Rodrigo Ortega, a native of Chiapas, Mexico, who has lived and worked in the United States for fourteen years, was busy tending the immaculate garden of a large luxury home under the blazing afternoon sun when I approached him. Though he had been working since 7 AM, he agreed to talk once his ten-hour workday ended.

Speaking with *The Nation* in a Mexican restaurant where Univision blared in the background, Ortega, who had worked for a Florida company contracted by Dobbs to do garden maintenance on his West Palm Beach property, described himself as "an immigrant who doesn't have papers." Ortega said he had been responsible for "cutting the grass, cutting the trees, cleaning the garden—all the garden work" at Dobbs's house for more than three years.

Ortega, who was one of approximately fifteen Latin American employees of the company, recalled meeting Dobbs one day while he was working on his garden: "He told me, in Spanish, that his name was Luis." According to Ortega, the two had a brief interaction, during which Dobbs instructed him to tell his boss that a certain plant needed to be moved in the garden.

Ortega said his status was far from a secret. His employer "knew very well that the majority of us didn't have papers," he said, but this was "never a problem." Employees of the landscaping firm "never needed to have a good Social Security number" as a condition of work, he said.

Nor were they ever paid the overtime they are entitled to under federal labor laws, although they typically worked a fifty-hour week, plus a monthly shift on a Saturday.

In a telephone interview, Jorge Garcia, a 24-year-old Guatemalan immigrant who worked for seven years at the same landscaping company, said that he and his brother had also regularly worked on Dobbs's property. The two brothers worked two and a half to three hours each week for more than three years on the upkeep of the lawns, gardens and trees at Dobbs's house, Garcia said. He was hired to do that work even though, he said, "I don't have papers." Neither did his brother.

Originally from the town of Momostenango in Guatemala's department of Totonicapán, Jorge came to the United States looking for work seven years ago. His brother Miguel, now 27, followed him soon after. As Jorge explained, the two of them had family they needed to support back home, including Miguel's wife and three children.

But at his hourly wage of $9, Jorge said, he was "not able to save much money" after covering his rent and bills. Miguel was making only $8 an hour. "The pay is bad," Jorge said. "There are no benefits, there's no medical coverage—nothing." Yet the landscaping work was sometimes dangerous, he said, especially when workers were required to prune Dobbs's trees and taller bushes.

Jorge said that he'd come to America to earn better wages—"to live better." However, his experience working as a landscaper, on Dobbs's and other properties, was "the opposite" of that.

During one of Dobbs's many shows devoted to immigration, in April 2006, the host described $10 an hour as "a decent wage, not, in my opinion, an adequate wage, but a decent wage." He then turned to his viewers with a pointed question: "How much more would you be willing to pay each year for fruits and vegetables if it would improve working conditions and raise wages for farmworkers?"

At the time Dobbs said that, an undocumented Guatemalan worker laboring in his own yard, Miguel Garcia, was being paid only $8 an hour.

Responding to *The Nation*'s request for comment from Lou Dobbs, Chad Wilkinson, producer of *The Lou Dobbs Show*, said by e-mail that "Lou will not be commenting for the piece." Dobbs's attorney, Robert Zeller, clarified by e-mail that Dobbs would only answer questions if posed on his live radio show. (*The Nation* agreed to appear on the show but only after publication of this article.)

I asked Mike Sedlak, the owner of Sedlak Landscaping, the contractor that maintains the grounds on Dobbs's West Palm Beach property, whether Dobbs has ever inquired about the status of his employees. Sedlak said only, "I don't feel comfortable talking about it," and quickly got off the phone.

I also asked Missy Clark, the owner of North Run Farm, the stable in Warren, Vermont, where the Dobbs Group horses are housed, whether Dobbs or his daughter had ever inquired about the immigration status of the workers caring for Hillary's horses. She said, "They're very well aware that the people taking care of the horses are 100 percent legal," and said she'd given the Dobbs family assurances to that effect. But she later described her difficulty obtaining work visas for many of her employees. "It was a big process and a total pain in the neck," she said. "I had been working on it for years."

According to Christine Biederman, a Dallas-based immigration lawyer hired by Clark to obtain visas for North Run's employees, a California law firm Clark had initially hired had failed to deliver on visas it promised its clients and had gone out of business. Biederman took over and finally filed the visa applications for Clark's workers in June 2009, including for workers caring for Dobbs Group horses. It took three months for these

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H-2B visa applications to be processed, Biederman said.

When asked whether the workers who look after Dobbs's horses had legal immigration status before then, Biederman declined to comment.

"Imprisoned in a Palace"

Immigration attorney Laurie Volk explained that immigrant workers in jobs designated "low-skilled" are caught in a bind because "there's a demand for their work, but there's no way for them to do it legally." "There's no visa categories—or there's limited visas—for unskilled labor," she said.

For undocumented workers who have been in the United States for more than a year without status, being apprehended by immigration authorities poses a risk of being deported and barred from re-entry for ten years. That risk was very real for many of the workers who labored on Dobbs's properties, since many of them were in the United States for several years without status. The risks of apprehension were particularly great for the stable workers, whose work caring for the Dobbs Group horses forced them to travel constantly—including to border areas closely monitored by Immigration and Customs Enforcement (ICE) agents.

Salinas traveled back to see his three kids and wife in Mexico on four occasions, but to avoid being apprehended he had to travel by bus, an exceptionally long journey from Vermont. For his part, Gomez is so afraid he will not be able to return to the United States that he has not seen his mother and brothers at all since immigrating six years ago, at the age of 18.

To avoid the risk associated with driving while undocumented, most of the workers interviewed for this piece don't ever drive, which imposes upon their lives an extreme isolation, given that Dobbs's horses are stabled in rural Vermont. Workers relied on their manager to transport them once a week to buy groceries at a store a half-hour's drive away. As Gomez told me, "Here one can't leave." This arrangement left the stable workers feeling, as Esperanza put it, like they were "imprisoned in a palace."

Yet even such precautions as not driving and not traveling home are no guarantee of safety. On the morning of October 5, 2009, Miguel Garcia was arrested by undercover ICE agents while he was on his way to his work cleaning Miami office buildings. (After four years of landscaping at Dobbs's and other properties, he'd quit because of the low pay.) "He was waiting for the train—nothing more," his brother Jorge explained. "They brought him to the jail." After a week in immigration detention, Miguel was deported to Guatemala.

Dobbs has long championed such enforcement measures. Yet according to Raúl Hinojosa-Ojeda, a UCLA professor and author of a recent Center for American Progress report, "Raising the Floor for American Workers," these measures "only serve to push undocumented workers further under the table, lowering their wages and the wages of native workers as well."

Commenting on this scapegoating of undocumented workers, Hinojosa-Ojeda remarked, "The irony is that the biggest users of services of the undocumented are affluent white people." In the case of Lou Dobbs, who made his name and his fortune lambasting "illegals" and their employers, the irony is breathtaking. ■

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Texas Tea

Can Governor Rick Perry hold off a stronger than expected challenger and take a shot at 2012?

by BOB MOSER

On Tax Day 2009, Governor Rick Perry—a man best known for his immaculately windswept hair, tailored suits, deep tan and bare-knuckle politics—swaggered cowboy-style onto a makeshift Tea Party stage outside the Austin City Hall. He was clad in a hunting jacket, jeans and boots. And practically as soon as he opened his mouth and unleashed his twenty-first-century impersonation of George Wallace, a political star was reborn—and an unofficial presidential campaign was launched.

JANNA BROWER

Perry was in sore need of a new image as he soaked up cheers on that blustery day from the 1,000 or so Anglos who'd turned out, bearing signs like Honk If I'm Paying Your Mortgage. He was already the longest-serving governor in state history, having taken the reins from George W. Bush in December 2000. But Perry's business-first, Christian right–second brand of politics was starting to wear thin. The state's population was booming, and the new folks weren't the same old rural and suburban conservatives Republicans had been winning with since the early 1990s. And there was a more immediate problem: Senator Kay Bailey Hutchison, long considered the state's most popular politician, was set to challenge Perry in the 2010 GOP primary for governor, and she was leading in some polls by more than twenty points. The governor needed some mojo. He found it at the Tea Party.

"I gotta say it gives me that thrill up my leg when I see all these people standing out here," the governor shouted in his best rural drawl, "with liberty in their hearts and independence on their minds. Plenty of patriots in this crowd today!"

Referring to the mainstream media (not to mention the Department of Homeland Security) calling elements of the Tea Party "extremists," Perry told the crowd, "I'm just not sure you're a bunch of right-wing extremists. But if you are, I'm with ya! 'Cause you are a true patriot today in this country." Perry was bellowing now. "I'm talkin' about states' rights! States' rights! States' rights!"

The patriots were all ablaze, one of them yelling over and over in a hoarse voice, "Secede Now!" Perry didn't answer back in kind, exactly, but he did rail about how the federal government had been rolling back states' rights practically since the Constitution was signed, and how Texans were not going to allow their liberties to be trampled by the federal government. Call it "flirting with secession," if you will. The national media certainly did. By the end of the day, Perry was riding the new Tea Party wave straight onto Fox and MSNBC, and back into the hearts of right-wing Texans who'd grown weary of his act.

One year later, after Perry had easily dispatched Hutchison and a strong grassroots Tea Party candidate, Debra Medina, his comeback was complete, his national profile higher than ever. On the first anniversary of the Tea Party's breakout, Perry landed on the cover of *Newsweek*, prominently displaying the steel plaque on his boot reading, Come and Take It.

"If he's good for Texas," *Newsweek* opined, "why not America? Could Perry be the second coming of Ronald Reagan, the plain-spoken man from the West who presided over a new 'Morning in America' by cutting taxes, reducing government (well, promising to), and standing tall against the nation's enemies?"

Perry had taken up the anti-Washington torch and run with it, crisscrossing the country and writing op-eds for the *Wall Street Journal* decrying healthcare reform and stimulus spending, and telling everybody about Texas's miraculous economy. Paul Burka, senior executive editor of *Texas Monthly*, repeated Perry's story well: "that by following conservative fiscal policies, Texas has been able to survive the recession in better shape than most, if not all, other states. Low taxes, low spending, constitutionally mandated balanced budgets, saving for a rainy day, and business-friendly regulatory policies have made Texas the top state in job creation year after year. Perry can say to residents of the other states: *Do what Texas did and you can enjoy economic growth too.* It is a strong message in a recession."

As he honed that message, Perry began to contrast his rhetorical enemy—Obama's Washington—more and more sharply with his great solution to all that ails the country: be more like Texas. As Sarah Palin told folks in the Houston suburbs at a Perry rally in February, "You have a clear choice. What's it going to be: the way they operate in DC or the way y'all get things done in Texas?"

Perry figured he could stick with the national message—Washington bad, Texas good—get some work done on his obligatory campaign book (*Fed Up*, to be released in November) and cruise to victory in the general election. After all, Texas Democrats haven't won a statewide election since 1994, and they haven't elected a governor since Ann Richards in 1990. And despite the state's booming population and rapidly changing demographics—Texas has been officially "majority minority" since 2005—too few newcomers, and far too few

Bob Moser, a Nation *contributing writer, is editor of* The Texas Observer *and the author of* Blue Dixie: Awakening the South's Democratic Majority *(Times Books).*

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Latinos, have gotten in the habit of voting. But the rural parts of the state are withering; the cities are booming; the suburbs are diversifying. The days when an "R" beside your name was a winning ticket in Texas politics are likely numbered. Neither Perry nor the pundits expected that number to come up this year.

They also didn't figure on a sharp economic downturn in the state, with rising unemployment and poverty. The governor seemed taken aback in late summer when the nonpartisan Legislative Budget Board estimated a California-sized $18–$21 billion budget deficit for Texas over the next biennium, making his balanced-budget boasting ring hollow. In one recent survey, just 37 percent of Texans said Perry deserved re-election. By mid-September, his re-election was no longer a given. His Democratic challenger, three-term Houston Mayor Bill White, had pulled even in a couple of polls and trailed by no more than seven points in others, while Perry did not top 50 percent in any of them.

White is the other thing Perry didn't figure on. He is the strongest candidate the Texas Democrats have run for governor since Richards—a successful attorney, oil and gas entrepreneur, deputy secretary of energy under Bill Clinton and a mayor popular enough to win re-election with 86 and 91 percent of the vote in the state's largest city. Compared with Perry, White is decidedly low-wattage: a bald, slow-talking, policy-crunching problem solver. But he at least partly solved a problem that has bewitched Perry's opponents in the past: how to exploit Perry's vulnerabilities—how to use his very political slickness, and ambition, and economic setbacks, against him.

Bill White is the antipolitical candidate in an anti-political year. Even if he merely makes it close, it will be a moral victory for Texas Dems.

In an anti-incumbent year, a Texas Democrat is the one slamming a "career politician" who oversees "an old-style political machine." He's the one dispatching feverish Facebook entries and press releases decrying the entrenched corruption of his opponent. And he's the one with nothing to lose.

Plano's Rotary Club is mean terrain for a Democrat. This north Texas city, with a quarter-million population, is one of the largest and richest suburbs stretching north of Dallas. It's staunch Republican turf—Bush Country, as it's sometimes still called. But it's exactly where Bill White wants to be. The former Houston mayor has campaigned relentlessly in heavily Republican parts of the state, puddle-hopping from small town to small city to small town. In July and August alone, White trekked through seventy-three counties, talking to Rotaries and Chambers and Democratic clubs and retired educators' groups. He's determined to wring every vote he can out of Bush Country. He's convinced showing up is half the battle.

"I was taught personal responsibility by my parents," White would say later in the day, in the much smaller town of Brownwood. "I was taught to look people in the eye and listen to them and answer their questions."

Already today, he's addressed a 7:45 Chamber of Commerce breakfast in McKinney (also heavily Republican). He's taped an interview for a widely broadcast Dallas show, *Inside Texas Politics*. He's dictated a Facebook post by phone: "Perry says the economy is great, but for the last eighteen months, for the first time, about 1 million Texans are unemployed, period. Three neighboring states have lower unemployment rates, and 200,000 Texans have lost their private-sector jobs in blank months, period.… Mess with that, all right?" (It goes out pretty much as dictated.) White is also raising money in every spare minute—it's the last day of the last reporting period before the election. Through June, White had been matching Perry in donations. His strong showing in the polls has been bringing in national money, with the Democratic Governors Association about to unleash an attack ad going after Perry as a corrupt career politician. There's a race in Texas. Just maybe not in Plano.

As the Rotarians work their way through a chicken-and-roast buffet, White circulates through the tan ballroom, introducing himself and asking, "Tell me about yourself." Unlike Perry, White does not dominate a room. His speeches do not turn into sermons. He is cool and rational where Perry is hot and sentimental. He refuses to deliver sound bites, while Perry revels in one-liners. "The back-seat drivers and consultants say you have to be scripted," White would tell me later. "But I just talk. I think people want somebody to talk straight to them."

Before White talks to the Rotarians, a local financial adviser in a sharp pinstripe suit gives me the lowdown on Plano politics. "I'm trying to listen with an open mind," Shawn Foster says with a grin, "but we're all pretty Republican here." He's curious how White will contrast with Perry, whom he saw at a Chamber of Commerce event about a year ago. "That guy is a pol," Foster says. "I mean, he was on fire. I've never seen a politician that slick." He pauses, wondering if that sounded as complimentary as he meant it to be. He decides it's fine. "I don't delve deep enough into politics to be real opinionated about it," Foster says. "From what I see, Perry's doing a pretty decent job."

Facing that kind of audience, White makes his way to the podium, in front of which rests a small jackelope head—the Rotary president's idea of a joke. White doesn't mention the jackelope, but he does try everything he can to get a reaction out of an audience that appears more interested in the roast and pie. As always, he tells them, "Texas is a great state." He says, with sincerity, that he's "here on a job interview, and I never forget that." He says, stressing his humility, that he doesn't "have all the answers." He talks about his most famous moment as Houston mayor, when he absorbed—with open arms—more than 200,000 Hurricane Katrina evacuees into his city.

White tries everything. But the only big round of applause

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The Second Continental Congress receives the draft of the Declaration of Independence.

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he gets is when he finishes. Then, when a few Rotarians rise to ask him questions, White kicks into another gear. He may not love to speak, but he likes to spar. Asked why he won't release tax forms from the mid-1990s, as Perry has demanded as a condition for debating, White leans over the podium and stares right into his inquisitor's eyes. "My opponent thinks debates are a favor to his opponent," White says. "And I have accepted all invitations to debate. Period. OK?"

Asked about his plans for border security, White gets off his best zinger of the day: "I'm tired of people using our border as a photo-op.... There's a Chamber of Commerce president here. Imagine how you'd have felt when the governor of your state goes on national TV and says there's bombs going off in El Paso. There's bombs going off in Juárez, but not El Paso. We need a governor who knows that Juárez is in Mexico and El Paso is in Texas." That got a big laugh from the Plano Rotary. Finally.

White, as Perry has found, is tougher than he looks. When he first ran for Houston mayor, in 2003, White was an unknown in a field of local heavyweights. He won the way he's trying to win the governor's race: by outworking his opponents, by steadily convincing people that he's the best and smartest fellow for the job, and by tapping into his deep business and political connections to raise serious money. But still, above all, he insists on coming across as a regular guy—not one of those career politicians. On his six-seater plane from Plano to Brownwood, I ask White if it's a conscious strategy to emphasize his stylistic differences with Perry.

"Yes," he says quickly, then sits back and ponders. "Well, it's not so much a conscious strategy as who I am. I mean, Perry likes to talk, and I like to solve problems."

White won over progressives with his battles to make the state and feds regulate chronically dirty air from the smokestacks around Houston. He built thousands of affordable homes for the newcomers from New Orleans. The city's crime rate went down during his six years as mayor, property taxes went up only in White's final year and dropout rates began to drop. Improving education is one of White's favorite themes—always couched in terms of economic benefit, and perhaps not surprising coming from the son of two schoolteachers. But while White governed in Houston mostly as a progressive, he is also a proud oil and gas man, a member of the prominent big-business group Greater Houston Partnership. As mayor he showed some spine, cracking down on business leaders who weren't helping Houston move forward. At the same time, he also earned a reputation for working cozily with business leaders.

White has taken Perry to task for the many warts that have grown up in his decade as governor. Using state records, the Democrats discovered that Perry had spent an average of seven hours a week on state business in the first half of 2010; White took to calling him "part-time Perry." He has hammered Perry for rewarding his donors with coveted state appointments. (A new study by Texans for Public Justice found that Perry's appointees had accounted for more than one-fifth of his campaign funds in his three runs for governor.) White decries the state's alarming budget deficit at every opportunity. But he's also convinced that Perry's act is simply no longer connecting, and that Texans are ready for something radically different: a good-government guy with David Cross hair.

"He thinks he's gonna buy it with thirty-second TV commercials," White tells me on the plane back to Houston. "The first one I saw—predictable as punch—had an image of me and President Obama in the same commercial. He figures that if most people want a new governor and he's worn out his welcome, maybe he can get 'em mad at somebody else and stay in there.

"You can do it with theater for so long," White continues, "but after a while, you're accountable for results. And in nine and a half years, nobody has seen Perry accept responsibility and roll up his shirtsleeves and fix things."

White's Mr. Fix-It pitch is somewhat rare in Texas: elect me and government will run better. In a state where those who turn out to vote still tend to be small-government types, that's a tough sell. Why would we want a good government when we don't even want a government? But White is the antipolitical candidate in an antipolitical year. Even if he merely makes it close on November 2, it will be a moral victory for Texas Democrats—a sign that, even in what looks to be a rotten year for the national party, they actually can compete. And it will be another prick in Perry's presidential balloon.

Perry has long pooh-poohed his presidential ambitions. Interviewed in late September on *Inside Texas Politics*, Perry indicated that he was already moving on to his next project—after the campaign book, that is. He said he's organizing a coalition of small-government governors to "push back" against the federal government. Meanwhile, he continues to travel widely, taking his message of the Texas economic miracle to the rest of the country and sharply contrasting himself with Obama at every opportunity. In August, when the president made a rare visit to Texas, Perry attempted to hand him a hotly worded letter about the need for more border security in Texas as he deplaned in Austin; Obama had him give it to an aide. In a recent ad, a still of the brief and awkward encounter is captioned, "Perry Confronts Obama over border issues."

There's no guarantee that Perry, whose campaign has begun to unleash a barrage of "shock and awe" attack ads against White, won't come on strong in the end. He could still win a strong-enough victory to propel him into 2012 with a glimmer of hope. Texans have never loved Rick Perry, but they've also never failed to elect him in four statewide campaigns. The governor, meanwhile, is dismissing budget doomsayers as manipulators of "crystal balls and Ouija boards" and sticking to the "Morning in America" script.

"Voters will look at the economy and realize Texas is better off than practically any state in the country," Perry said at an Arab-American Cultural and Community Center forum in Houston in September. "People still know there is something special about Texas." He has to hope so. ■

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The Assault on Healthcare Reform

Conservative groups backed by wealthy donors are attacking the legislation at the state level.

by NICHOLAS KUSNETZ

In April 2007 an orthopedic surgeon in Arizona began a fringe fight over healthcare policy with the help of some libertarian supporters. Now, thanks to the intervention of a conservative policy group, that initiative has become a central issue of the 2010 elections.

JANNA BROWER

The American Legislative Exchange Council (ALEC) has a history of using its web of state legislative connections to drive national debate, quietly pushing the agenda of its corporate backers [see Kusnetz, "Where Bad Bills Come From," June 28]. With its model legislation, the Freedom of Choice in Health Care Act, ALEC is encouraging state legislators to begin chipping away at the central components of the Obama administration's healthcare reform before it's fully implemented. What's more, ALEC and its allies have already contributed to a growing legal challenge that could give the conservative Supreme Court an opportunity to overturn the legislation even if Congress does not.

From their beginnings in Arizona to their nationalization through ALEC, the so-called healthcare freedom acts have followed a course charted by a network of conservative organizations created by wealthy donors. The acts are an indication that the most important fights over healthcare may take place not in Congress but at the state level and in the courts.

In 2007, before the healthcare debate was making national headlines, Eric Novack, the Arizona surgeon, conferred with Clint Bolick of the Goldwater Institute and Sally Pipes, president and CEO of the libertarian Pacific Research Institute. Massachusetts had passed its universal health coverage the year before, extending subsidies to the state's poorest and requiring those who could afford it to buy insurance. Novack wanted to prevent anything similar from passing in Arizona.

The group drafted a citizen initiative in 2008 that would have amended Arizona's Constitution to prevent any laws from compelling a person to buy insurance. It would also have secured a right for individuals to pay directly for any service, in essence precluding a single-payer system. The initiative failed to pass, but it gained the attention of libertarian groups and donors, who saw the potential to promote their core principles. Frayda Levin, who sits on the board of the conservative advocacy group Americans for Prosperity and is a prominent donor to the libertarian Cato Institute, gave $100,000 to the initiative. "It was the one opportunity, I felt, where we could continue to have some choice," she told me. "This is about individual liberty, and it's a huge deal."

Within a month of the initiative's failure in November 2008, ALEC had adopted the cause and crafted model legislation based on the failed initiative. "The bill seeks to ban a Canadian-style, single-payer healthcare system," a spokesperson for the group told me in an e-mail.

ALEC brings together state legislators and lobbyists from the country's largest corporations to form issue-based task forces. These committees write antiregulatory model bills that legislators then introduce in their capitols. The group is almost entirely funded by its corporate members, including Koch Industries, ExxonMobil and the heavyweight pharmaceutical trade group PhRMA.

Most recently, ALEC and its corporate allies defeated attempts to regulate greenhouse gases. It's now clear that climate-change legislation is dead for the foreseeable future, and there's an alarming wave of climate-change-denying candidates running for office in November. ALEC is also behind a vigorous assault on various state and regional pacts, such as the Regional Greenhouse Gas Initiative. Other prominent campaigns have included pushing for conservative education policies and opposing net neutrality.

With the healthcare freedom act, the group's legislative members followed ALEC's lead, filing or prefiling bills in thirty-eight states, according to the organization. Six of those measures have passed. In August Missouri became the first state in the country to amend its Constitution to enshrine the act's goals. In states that pass them, the acts could handcuff agencies from implementing parts of Obama's reform. They could even help build momentum to dismantle the reform entirely, providing political cover for Republicans and their recently announced Pledge to America, which promises to repeal federal healthcare reform.

The "individual mandate"—the requirement that all individuals have health insurance—is one of the more unpopular aspects of Obama's reform package, and the bills' proponents have seized on that weak spot to attack overall reform. Sponsors of the efforts in Arizona and Missouri told me they suspect federal reform is only the first step toward a single-payer system, and that insurers and the business community are worried about the same thing. "They realize federal government is putting a huge financial and regulatory lug on them," says State Senator Jane Cunningham, who sponsored the Missouri bill.

In its immediate policy implications, the state amendment changes little for Missourians, nor would similar initiatives

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now on the ballot in Arizona, Colorado and Oklahoma, if voters pass them in November. Because the Constitution's supremacy clause ensures that federal law supersedes those of the states, the acts' central tenets would take effect only if the legislation Obama signed in March is repealed or ruled unconstitutional by the Supreme Court.

"It's not real," says State Representative Kyrsten Sinema, the second-ranking Democrat in Arizona's House. "The only thing that will change in Arizona if this amendment passes is, we'll have another expensive lawsuit on our hands." Sinema is on the board of the Progressive States Network, a national group of state legislators, and she has met with her peers around the country to help them counter healthcare freedom acts. As their greatest success, she cites the twenty-six states that did not pass the measure.

But the forces fighting healthcare reform have a longer-term strategy. In conjunction with the bills, more than twenty state attorneys general and governors have filed suit with the goal of influencing the federal courts, and eventually the Supreme Court. In Virginia a federal judge used a healthcare freedom act that state legislators had passed only weeks before the lawsuit was filed to rule that the state had standing to challenge the federal reform.

"A state can't nullify a federal law, so the only question is, Is the federal law constitutional?" says Timothy Jost, an expert in health law at Washington and Lee University. Jost notes that in addition to its unpopularity, the individual mandate is one of the weaker aspects of the reform legally and provides an opportunity to attack the bill's constitutionality. But still, he says, even the conservative Supreme Court would have to change course dramatically to strike down the mandate.

That could happen, says Simon Lazarus, public policy counsel for the National Senior Citizens Law Center. Lazarus has written about the lawsuits and is not as quick as Sinema to dismiss the threat the initiatives pose. "Over a period of time, frankly, it makes it much more likely that our five friends on the Court would feel emboldened to carry their water for them," he says, speaking of the conservative justices and their ideological counterparts who are pushing the bills and lawsuits.

Lazarus points to the High Court's recent ruling on the Second Amendment, which gives individuals and not just militias the right to bear arms. That ruling would have been unthinkable, he said, without decades of organizing by the National Rifle Association and other gun-rights advocates. "I think there's a great deal of interplay between what happens in the courts and what happens on the political ground."

This may help explain the prominent role of groups like Americans for Prosperity and the Cato Institute, and their wealthy supporters, in pushing these bills nationwide. Board members of the groups have contributed tens of thousands of dollars to the initiatives in Arizona and Missouri. In Colorado, the Independence Institute, which addresses public policy issues from what it calls a "free-market, pro-freedom perspective," is the primary backer of that state's ballot initiative.

Eric Novack tells me his effort started as a purely local affair. "In 2007 I was able to get some folks together and the idea was effectively, What can we do here in Arizona to protect individual healthcare freedoms?" His biggest opponents, he claims, have been insurance companies. "This effort was all individual and grassroots based."

Healthcare interests have spent money on both sides of the debate. In 2008 a group of physicians and healthcare providers joined the Greater Phoenix Chamber of Commerce in spending hundreds of thousands of dollars to defeat the measure; opponents worried that the language was too vague and could have interfered with the state's Medicaid program. But State Representative Nancy Barto, a Republican who has worked with Novack and introduced the bill's second incarnation in the state legislature last year, tells me this time insurers have been helpful in working out the initiative's kinks. "They did not oppose it," she says. "They helped make the language stronger and clearer." Since becoming involved, Barto says, she's been elevated to ALEC's Health and Human Services Task Force, which includes representatives from Bayer Healthcare, Johnson & Johnson and PhRMA.

A key player in the campaign is the 'Kochtopus,' the political machine created by billionaires Charles and David Koch.

Most of the nearly $2 million given to the Arizona effort has come from a nonprofit started by Novack and other supporters. Donations to that group are anonymous, but the committee supporting the measure lists Frayda Levin among its top funders. In addition to their Arizona contributions, Levin and her husband, Kenneth Levy, have given enough money to the Cato Institute for that organization to lend the couple's names to the roof garden of its Washington headquarters. Another large donor to the Arizona measure is Jeffrey Yass, a member of Cato's board of directors. Once the movement went national, Novack was named a senior fellow at Americans for Prosperity and advised the group on healthcare policy (he says he no longer fills this role).

The picture is similar in Missouri. Jane Cunningham, the state legislator who sponsored the bill there, sits on ALEC's board. She says that as Congress began debating healthcare reform in 2009, she started hearing from constituents who were frightened and angered by what they saw in Washington. That spring an ALEC conference brought the model legislation to her attention, and she introduced it in January. "What it does is, it shields Missourians from the individual mandate of the federal law," she said. "It preserves the present freedoms."

Cunningham says a grassroots movement pushed the measure over the top, with more than 70 percent of voters approving it. But it also attracted some large donations. Ethelmae Humphreys, who sits on Cato's board, gave $25,000, more than 20 percent of all the money raised. Humphreys and her

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husband have also given at least $100,000 over the past few years to the libertarian Mercatus Center, based at George Mason University in Virginia. On the board of that group is another prominent donor to the Missouri initiative, Menlo Smith. "This is what the right does," Sinema tells me. "They take an issue or two, test it in a state to see how it does, and then take it around the country."

A key player in this campaign is the "Kochtopus," the political machine created by Charles and David Koch and detailed in a recent investigation by Jane Mayer in *The New Yorker*. The Kochs, who run the oil and chemical giant Koch Industries and who together are worth $35 billion, have spent the past few decades building a conveyor belt for right-wing and libertarian policies. Mostly through various charities, they have showered more than $100 million on dozens of think tanks and advocacy groups—including the Goldwater Institute, the Pacific Research Institute, Cato, Mercatus and ALEC—which push antiregulatory policies that coincide with Koch Industries' and other large corporations' financial interests. The Kochs started Americans for Prosperity in 2004 and have since given it more than $5 million. That group has been the driving force against healthcare reform since it sent angry protesters to disrupt town hall meetings in the summer of 2009. The healthcare freedom acts are the latest, loudest product of this antiregulatory policy web. ALEC's role also suggests corporate influence. The organization's $7 million budget comes almost entirely from groups like PhRMA, ExxonMobil, Bayer and AT&T, which are represented on ALEC's Private Enterprise Board and task forces and must approve any legislation the organization passes.

Corporate contributors to ALEC, which is coordinating the antireform effort, include PhRMA, ExxonMobil, Bayer and AT&T.

As the Americans for Prosperity rallies raged in the summer of 2009, Bob Ingram, then vice chair of pharmaceuticals for GlaxoSmithKline, received the Adam Smith Free Enterprise Award at an ALEC meeting in Atlanta. Standing in front of a photograph of a capitol dome, Ingram told the crowd that as Congress took up healthcare reform, they needed to energize the entire business community to ensure that ALEC's values—free enterprise, competition and personal responsibility, as he put it—help shape the debate. "I just want to say to all of you as ALEC members, you have my commitment, but more importantly, GlaxoSmithKline's commitment, to increase our partnership with you," he said. He promised to encourage the seven other corporations on whose board he sat to do the same. Donations to ALEC are not public, so it is impossible to account fully for the group's finances. But tax records show that PhRMA gave ALEC nearly $380,000 in 2008. The group's members, including Bayer, Glaxo and Pfizer, which sit on ALEC's board, surely gave many thousands more in membership dues.

The initiatives' backers acknowledge that they are targeting more than healthcare reform. Ken Cuccinelli, Virginia's attorney general, has led that state's legal challenge. He told the Heritage Foundation that healthcare was "secondary to the real important aspect of the case, and that is to protect the Constitution as we essentially define the outer limits of federal power."

Some progressive groups maintain that these initiatives are a distraction from more important issues in the November elections. Justine Sarver, executive director of the Ballot Initiative Strategy Center, which calls itself the "nerve center" for progressive ballot initiatives, downplayed the significance of the healthcare measures. "It's barely a blip on the political radar in the states where it's happening," she said. Sarver pointed to the low turnout for the Missouri initiative, with about one-third the number of voters as in the 2008 presidential election. She also pointed out the number of states where the measure has failed to pass. "I'd call it more of a Tea Party failure," she said. Sarver and Sinema believe the best counterstrategy is to not get distracted from what they see as more important issues, like unemployment and immigration.

It is true that so far the acts pose little immediate threat to federal healthcare reform. But they may help to turn out conservative voters where the initiatives are on the ballot, and as Cunningham claims in Missouri, a candidate's stance on the issue could become a litmus test for voters. The initiatives would have an even larger impact, however, if they were to serve the role that Simon Lazarus suggested. It is really the lawsuits they prompt that he worries about. "What is striking, it seems to me, about these lawsuits is the very radical constitutional theorizing behind them," he says. "They are basically an attack on the jurisprudence that has held since the New Deal." Lazarus agrees with Cuccinelli and Frayda Levin that this is about much more than healthcare. He thinks progressives ought to embrace this fight as an opportunity to argue that government should be in the business of providing environmental protection and Social Security, for example. "If we can't convince people that that's the case, then we should go into another business. But we've got to get out there and do it. I think we haven't really recognized the agenda behind these lawsuits."

Many legal scholars agree with Jost that it would be a long shot for the Supreme Court to rule against the federal government in these suits. But if Lazarus's "five friends" on the Court were to surprise everyone by doing so, he warns, it could encourage a sustained assault on the many institutions we have come to take for granted since the New Deal.

Even if the Supreme Court does not intervene, the political effects could be more subtle and powerful than just turning out more voters. As we've seen with climate change, these seemingly frivolous state initiatives can help build a movement. These bills could be the first step in a long Republican and corporate battle to kill healthcare reform. ■

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Unionbusting, Iraqi-Style

With US approval and privatization the goal, the government is targeting organized labor.

by DAVID BACON

The political deadlock in Baghdad, which has prevented the formation of an Iraqi government more than six months after the parliamentary elections in March, has not prevented the administration of Nuri Kamal al-Maliki from opening the southern oilfields to the world's giant corporations. Nor has it stopped the US Embassy and Commerce Department from reinvigorating the Bush-era program of selling the country's public assets to corporate buyers. And because Iraqi unions have organized opposition to privatization since the start of the occupation, the Maliki administration is enforcing with a vengeance Saddam Hussein's prohibition of public sector unions.

JANNA BROWER

The United States may have withdrawn its combat brigades, but it is not leaving Iraq. And while Washington may have scaled back its dreams of nation-building, it has not given up on a key aspect of the economic agenda behind that project: encouraging corporate investment by sacrificing the rights of Iraqi workers.

Unions have been locked in conflict with the Iraqi government since the occupation began, but in the past year the battle has intensified. In March, after oil workers protested low pay and their union's illegal status, leaders were transferred hundreds of miles from home. The Oil Ministry banned travel outside Iraq for Hassan Juma'a and Falih Abood, president and general secretary, respectively, of the Federation of Oil Employees of Iraq. They were hauled into court and threatened with arrest.

When the Bush administration pushed for passage of a hydrocarbon law that would facilitate foreign investment, the union organized widespread opposition, mounting what was in effect a political strike and shutting down pipelines in 2007. It called for keeping oil in public hands and protested poor housing and high unemployment. Maliki called in the army and, with US military overflights, increased pressure on the workers. He finally agreed to the union's principal demand: holding implementation of the oil law in abeyance.

Iraq's unions were already the largest nonsectarian organizations in the country. After the confrontation they also became the leading voices advocating for economic improvement and continued national ownership of oil, electricity and industry. Although the oil union doesn't oppose all foreign investment, it has criticized the government for signing unfavorable contracts with oil corporations, in particular production-sharing agreements, in which foreign companies get a share of the oil they produce rather than receiving a fee for services. PSAs are rare, even in conservative Arab countries, because they cede a great deal of control to foreign corporations. Oil ministry spokesman Assam Jihad told the *Iraq Oil Report*, which uses its wide network of correspondents to track conditions in the industry, that "unionists instigate the public against the plans of the Oil Ministry to develop [Iraq's] oil riches using foreign development."

The oil union is far from the only labor organization targeted by the government. This past July electricity and oil minister Hussein al-Shahristani expelled the Electrical Utility Workers Union from its offices in Basra. Despite billions spent on contracts to rebuild power plants (GE alone got $3 billion), Basra residents got power only a few hours a day during 120-degree heat this past summer. June demonstrations over blackouts, supported by the union—the first national union led by a woman, Hashmeya Muhsin—were put down by police, who killed one protester and injured several others. Shahristani then issued an order to shut the union down. A thousand Basra workers protested, shouting slogans asking Shahristani where the $13 billion appropriated for electricity reconstruction had gone. Within days, the union was expelled from its offices.

Also in June, longshoremen protesting the prohibition of unions in ports south of Basra were surrounded by troops, and the union's leaders were transferred hundreds of miles from their homes. This union also has a history of opposing privatization, and in 2005 it forced shipping giants Maersk and Stevedoring Services of America to give up sweetheart concessions in Iraqi ports granted to them by occupation authorities.

In January the government threw the president of Basra's Iraqi Teachers Union in jail. According to Nasser al-Hussain, an executive board member, the government seeks to establish control over an organization it views as far too independent. In recent union elections, Maliki's party tried to run a slate of officers who would be more politically reliable. "Key forces within the government are using a law inherited from Saddam's era to try to control and split trade unions," Hussain says.

Unions began to reorganize as soon as Saddam Hussein's regime fell, but they quickly found that Washington's vision of democracy didn't include their rights. After the 2003 invasion, occupation czar Paul Bremer decided to keep on the books Saddam's Law 150, which bans public sector unions. Each succeeding Iraqi administration continued the prohibition. Despite the ban, unions grew so quickly and enjoyed such widespread support that they were often able to force ministries to concede benefits. But government hostility is unabated; in August the parliamentary committee that was considering a new labor law,

David Bacon has written about Iraqi labor since the beginning of the occupation. His latest book is Illegal People: How Globalization Creates Migration and Criminalizes Immigrants.

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which would have given unions legal status and the right to bargain, discarded the project.

Meanwhile, multinational corporations are racing into Basra's oilfields. The Maliki government has signed contracts with eighteen companies, including ExxonMobil, Royal Dutch Shell, Italy's Eni, Russia's Gazprom and Lukoil, Malaysia's Petronas and a partnership between BP and the Chinese National Petroleum Corporation (CNPC). American corporations won only two of eighteen contracts; even so, the US military has protected all field operations. Gen. Ray Odierno, who just retired as head of US forces in Iraq, told reporters in July that the United States would continue to provide security, using troops and private contractors. While suspicion of the Chinese and Russians may be endemic in Washington, US policy in Basra welcomes any oil giant. "That means CNPC and Lukoil," says Kenneth Thomas, who heads the US Embassy's Provincial Reconstruction Team. "I don't have a prohibition." Over the summer former US Ambassador Christopher Hill invited corporate executives and diplomats to the US base in Basra. According to the *Iraq Oil Report*, he offered to facilitate visas for foreign workers and to help them open secure bank accounts, which would ease the transfer of billions of dollars in deposits.

In September the Commerce Department organized a trade mission for US companies, including GE, Boeing, American Cargo Transport and twelve other engineering and transport firms. The Iraqi government is offering them $80 billion in contracts for projects, including ports and power plants. At the same time, it prohibits unions in those industries.

When questioned by reporters about the union bans, an official at the US Embassy, the world's largest, said mildly, "We're looking into it. We hope that everybody resolves their differences in an amicable way." The Obama White House has not spoken out, and the latest State Department report on human rights plays down the oppression of Iraqi unionists, calling their situation a "limited exercise of labor rights."

Juma'a, the oil union president, says, "The government doesn't want workers to have rights, because it wants people to be weak and at the mercy of employers." Muhsin, the electrical union leader, believes blackouts and repression are designed to create an atmosphere of desperation. "If people are desperate enough, the government believes they'll accept anything to get electricity, including privatization," she charges. "It knows we won't accept that, so it wants to paralyze us so we can't speak out."

"We are in danger," Muhsin warns. In response, U.S. Labor Against the War has worked with US Representatives Sam Farr, Phil Hare and Jan Schakowsky to circulate a "Dear Colleague" letter urging the Obama administration to protect the unions. American labor leaders, like AFL-CIO president Richard Trumka, have urged the Iraqi government to change course and have lobbied Washington to do more. Prohibitions or not, though, Iraqi unions say they will not be driven underground again, as they were for decades under Saddam. ■

Letters

(continued from page 2)

an outstanding piece of work—clear, forthright, brilliantly penetrating, written with refreshing informality and above all saying what so much needs to be said; what, on the whole, practically nobody on the left is saying. I imagine Clover must be pretty young; he wonderfully sounds it. Poetry and political economy? Tell me! I want to know more about this extraordinary writer, to read more of his work. He is my poster boy of the year.

Joan Hall

Oakland, Calif.

I would like to make explicit a narrative within Joshua Clover's excellent review "Busted": no account of the crisis can surpass UCLA historian Robert Brenner's. He recounts how the post–World War II global manufacturing sector experienced high rates of growth for a quarter-century as economies were rebuilt and consumption boomed because of wage growth and modestly worker-friendly governments. This ended by the early 1970s, as the manufacturing triad of the United States-Germany-Japan ushered in a chronic state of overproduction and declining profits. Eventually the United States ceded the field to its former opponents, with the result, as Clover makes clear, that US capital investment headed for the financial sector; manufacturing jobs took flight.

The collapse of Communism and the later emergence of China as workshop of the world exacerbated the problem. Low-wage workers entered the global labor force and governments became willing to get tough with workers, resulting in slower wage and consumption growth. But the earlier breakdown of the Bretton-Woods agreements had allowed governments to run unprecedentedly large budget and trade deficits without rampant inflation. The result was, and is, a global economic system of huge-surplus and huge-deficit countries, in which financial bubbles are increasingly common because of money flowing into countries that issue debt instruments to cover their deficits.

It is hard to conceive of a way out. Those who look to consumption growth in surplus countries (China, Germany) don't see that growth there is structurally dependent on consumption in debtor nations. Those who think that government spending at home is holding back growth in the private sector fail to see that the boom years of the pre-crisis economy were predicated on debt all along. Talk of "recovery" or "double dip" relies on the profoundly uncritical assumption that the economic foundations are sound.

Clover is right to demand that our explanations go deeper and take stock of the very basis of capitalism as a social relation, its foundation in the extraction of "surplus value" from the worker. We should follow him in this, or live with the mystifying explanations of policy-makers and apologists, who amid the cutbacks and austerity measures can be heard echoing that familiar but still shrill neoliberal war cry: "There is no alternative."

Patrick Madden

Pound Foolish

A fact-checking error in D.D. Guttenplan and Maria Margaronis's "Labour's Fraternal Struggle" [Oct. 4] caused the figure £15 billion (the total of all budget cuts) to be given for cuts in benefits to Britain's unemployed. Those cuts will total £4 billion.

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Books & the Arts.

Representative Women

by MARTHA C. NUSSBAUM

For much of its existence, the feminist movement in the United States has looked like a loosely knit coalition of upstarts and insurgents making common cause around an evolving list of issues: suffrage, access to divorce, property rights, contraception, antidiscrimination law, sexual harassment, domestic violence, rape law and abortion rights, to name a few. In turn, feminism has apparently struck many historians as being both too topical and too diffuse to have a history. At least such a view offers the most likely explanation for an enduring deficiency. Although American historians have written incisive histories of marriage with attention to women's concerns (Nancy Cott's *Public Vows: A History of Marriage and the Nation*, Hendrik Hartog's *Man and Wife in America: A History*) and landmark biographies of feminist pioneers (Ellen Chesler on Margaret Sanger, Elizabeth Griffith on Elizabeth Cady Stanton, Nell Irvin Painter on Sojourner Truth), they have not given us any comparably authoritative history of the feminist movement in the United States. But now we have one.

Christine Stansell's magisterial *The Feminist Promise* traces the movement from its eighteenth-century inception to the present day, sorting out its crosscurrents and offering a useful narrative framework within which to situate its varied struggles. Stansell is an acclaimed scholar who has worked on a variety of topics in US history, from antebellum and bohemian New York City to the histories of love and human rights. She is also a good writer, having honed her style by contributing numerous essays and reviews to a variety of general-interest publications. Though dense and impeccably documented, *The Feminist Promise* is lucid, accessible and well organized. It will be a benchmark for some time to come—although, as we shall see, it has a significant shortcoming.

Here one should pause to raise a relatively minor question of exposition and framing. Although the book's sweeping title could lead one to believe that Stansell will discuss feminist movements in a variety of countries, and although the narrative occasionally turns to developments in Europe (particularly Britain) and even, more rarely, to Japan and India, Stansell takes as her project the story of feminism in the United States. Yet she should not be understood as claiming that the United States was the sole or even the primary cradle of feminism. In her final and excellent chapter on global feminism, Stansell rightly resists the idea that feminism is an American export to developing nations. We learn, for example, that India had its own indigenous feminist movement, inspired more by local struggles than by ideas from abroad. (Although Stansell does not trace the earlier history of that movement, its roots are in the eighteenth century, like those of its US counterpart.) So the book does not mislead, ultimately. Yet I wish Stansell had explained the scope of her project more emphatically at the outset—granting in the process that feminism has multiple roots and branches, few of them being the outgrowth of democratic revolutions, and that her book is going to ignore most of them in order to focus on the story of the United States.

AP/SUSAN B. ANTHONY HOUSE

Susan B. Anthony (left) and Elizabeth Cady Stanton in Rochester, New York.

The Feminist Promise
1792 to the Present.
By Christine Stansell.
Modern Library. 503 pp. $35.

The material Stansell has organized is diffuse, since feminism has indeed been a diverse set of movements, reflecting pronounced differences of race, class and region. Nonetheless, she wisely coordinates the welter of facts around a single, clear narrative thesis about two basic types of feminists, whom she calls "mothers" and "daughters." "Mothers" are rather conservative feminists. They love the traditional family and are fond of exalting the virtues of caring and compassion that women allegedly cultivate more than men. When mothers advocate for certain social changes, they do so in the name of these female virtues. Often their feminism has a religious dimension. Their demands are strong but not profoundly radical: they want women to be granted political equality so that they can put their virtues to work ameliorating the public sphere, but they leave unchallenged the status quo as to the nature of marriage, sexuality and the family. "Daughters," by contrast, are radical and boisterous. They want to shake up everything. They demand a wholesale reconsideration of women's role in the world, of the entire distinction between male and female gender and of the nature of marriage and sexuality.

The essence of Stansell's argument is that American feminism has proceeded in a lurch-

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ing and uneven series of stages, alternating between periods of ascendancy for mothers and daughters. Nonetheless, even during times like the 1950s, when it seemed that mothers were securely entrenched, feminism continued to forge ahead, often in quieter ways but with a clear record of achievement nonetheless. Mothers and daughters agree about one facet of the "feminist promise": it is the struggle to achieve justice and equality in the public sphere. Daughters, however, insist rebelliously that this "promise" cannot be fulfilled without sweeping changes in the domestic realm that are not just strategic but fundamental matters of justice as well. Mothers and daughters differ about strategies but also, more profoundly, about goals.

Stansell's account of the media in the 1950s, though accurate, is too monolithically grim.

Stansell begins with the American Revolution, which always presupposed, and only rarely questioned, the subordination of women. Nonetheless, Stansell argues that over time the abstract promises of the new American democracy "offered sanctuary to the aspirations of women," laying a foundation on which later feminists would build. A more radical strain of feminism emerged during the antislavery movement, as female abolitionists made bold claims about ending women's servitude. The abolitionist movement was heterogeneous, and some of its Christian feminists were conservative; but ultimately abolitionism prompted, Stansell claims, a thoroughgoing rethinking of women's position in society. The radical side of abolitionist feminism was strengthened by alliances with a variety of utopian movements, including Fourierist and Owenite socialism and New England Transcendentalism; and the epoch-making Seneca Falls convention of 1848 drew more on radical notions of natural rights than on Christian doctrine.

After the Civil War, radicals such as Elizabeth Cady Stanton became increasingly isolated, as a group of mothers, including the Women's Christian Temperance Union and its leader, Frances Willard, gained influence by insisting that women should progress by disciplining and shaming men within traditional marriage rather than by altering the terms and nature of marriage itself. Willard sentimentalized marriage and idealized femininity; Stanton protested that "the real woman is not up in the clouds nor among the stars, but down here upon earth…striving and working to support herself." But Stanton's remonstrations proved ineffectual, and in due time the mothers were leading the battle for women's suffrage, emphasizing that the alleged special virtues of women equipped them for the vote.

Yet by 1900 a younger generation of women had transformed the suffrage movement, "turning a polite, ladylike movement into a confrontational, contentious one." These daughters differed most obviously from the mothers in tactics and style, favoring street protests and a defiant anti-Victorian style of dress; they differed ideologically too, making common cause with the labor movement and demanding far more equality than simply the vote. (Exemplary in this regard was Margaret Sanger, who launched the birth control movement.) For the suffragette daughters, "Feminism meant headlong flight from your mother's life," Stansell writes.

The struggle for the vote united feminists across many regional and class divisions. After that great battle was won in 1920, unity dissipated, and it has never been fully restored. Nonetheless, the story of alternating mother and daughter stages has continued, with the period after World War II signaling a return to domesticity and ushering in the infamous quietism of the '50s. Even here, though, Stansell shows that progress could still be made on some issues: the Equal Rights Amendment, framed in the 1920s, was championed during the '50s, and the National Organization for Women, established in 1966, made major contributions to women's progress on a wide range of issues, even while remaining a somewhat conservative organization of mothers. Daughters returned to the forefront in the '60s and '70s, and Stansell discusses the feminist ferment of these years effectively. The struggle over contraception and abortion rights, the struggle to redefine marriage and the battle for adequate legal treatment of sex discrimination are her focus. (She devotes scant attention to the question of sexual orientation or the connection between feminism and the struggle for justice for gays and lesbians.) "The gains were remarkable, and they were also shaky," Stansell writes. The defeat of the ERA sapped the movement of energy, and many of its achievements remain profoundly contested, as antifeminism has gained political power. Nonetheless, Stansell is optimistic about feminism's prospects: many paths have been blazed, and all that's required is the courage to follow them in the teeth of adversity and to continue drawing on the legacy of the past, taking up "the task of making good on feminism's democratic promise."

One disturbing thread running through Stansell's narrative is the racism of many white feminists. Repeatedly, the cause of women was defended by claiming that it was absurd to give African-American men the vote but to deny it to women, so much more intelligent and cultivated. Even some of the greatest feminists, such as Stanton, were not free from the taint of racism. Stansell shows that African-American feminists typically held themselves aloof from white feminists for such reasons, determined to defend both racial and gender equality. Stansell indicates that any adequate feminism for the future must be attentive to and respectful of differences of race and class and the struggles of other minorities. She is hardly the first to say this, but she says it well.

In the final chapter, on global feminism, Stansell shows that similar difficulties threaten the growing engagements of American women with feminist movements in developing nations. She gives disturbing examples of condescension and bias, of American feminists preaching enlightenment to women elsewhere as if they were mere victims and dupes. On the whole, though, as Stansell persuasively and correctly shows, global feminism has become a two-way street, with advice and knowledge traveling in both directions. Crucial human rights documents such as the Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW) have been worked out in full cooperation by women in the West and developing nations from many different backgrounds, and certainly with no help from the United States, which, along with Iran, Sudan, Somalia and a handful of small and island states, has failed to ratify CEDAW. Stansell also shows how decisive progress on issues such as improving women's access to credit and education and eliminating sex-selective abortion has been made by indigenous women's movements acting at the local level in a wide range of countries, with no "access to Western sympathizers." Like the rest of the book, the chapter on global feminism is nuanced, judicious and edifying.

The way Stansell packages feminism's complex history is clarifying, but it also distorts. For example, by suggesting that the early twentieth century was an era when radi-

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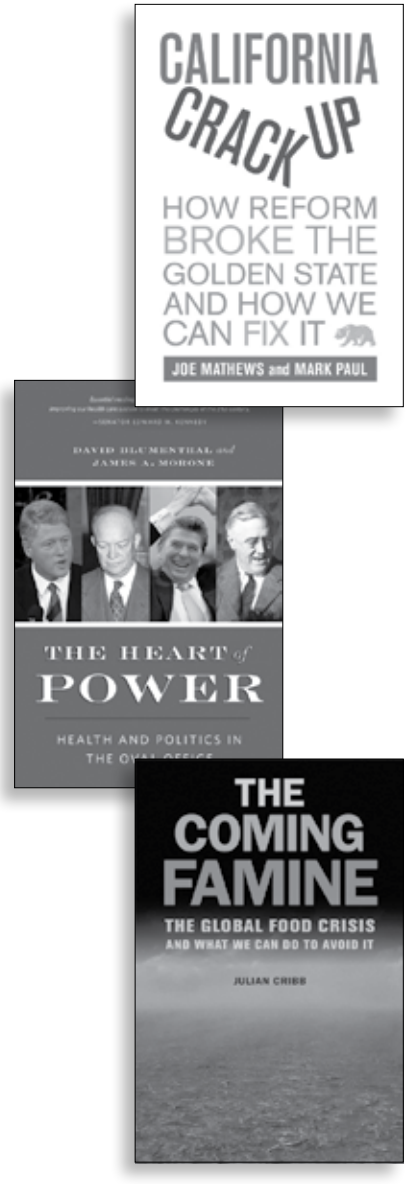
cal daughters took the lead, she downplays the continued leadership of the mothers in the temperance movement, which ultimately led to Prohibition. Her account of the media in the '50s, though largely accurate, is too monolithically grim. "The workingwomen on television who left flickering imprints on the collective subconscious were inevitably single and comically lonely," she writes, singling out Eve Arden's Miss Brooks as an example but omitting Mr. Boynton, her clueless yet extremely nice boyfriend. She doesn't mention my favorite show of the period, *Perry Mason* (1957–66), which featured a long-term nonmarital sexual relationship between Raymond Burr's Perry and Barbara Hale's Della Street, a secretary, to be sure, but a very high-powered one who participated in the detecting, and who always wore stylish and sexy clothes. The show itself stood, ahead of its time, for '60s values. (Burr, for one, was a not-very-closeted gay man living with a long-term male partner.) In 1960, when William Talman, the actor who played District Attorney Hamilton Burger, was arrested and charged with smoking marijuana at a nude swimming party, Burr came to his defense and made sure he didn't lose his job. (My consternation over the words "morals charge" in the reticent newspapers of the day was swept aside when I learned that Talman had not done anything really immoral.) The show was quietly subversive on account of its dramatic allure: it was the only program that my attorney father, highly conservative, allowed us to watch at the dinner table, and while he pointed out all the legal errors, I couldn't help but notice Barbara Hale's flirtatious yet classy conduct. Still active at 88, she is certainly in my feminist pantheon.

Another distortion that cuts close to my heart is Stansell's depiction of major US law schools. According to Stansell, it took post-'50s daughters to open the gates of the leading schools to women. While Stansell is correct in her depiction of Harvard Law School, which didn't admit women until 1950, and kept their numbers small until at least the 1970s (thirty-two out of 565 in the entering class of 1967), she doesn't mention that the University of Chicago Law School admitted women from its inception in 1902. The well-known social activist Sophonisba Breckinridge, who graduated from Wellesley College in 1888, was in that law school's first graduating class of 1904. Breckinridge had already become a member of the Kentucky bar in 1894, and had received a PhD in political science from the University of Chicago in 1901.

Breckinridge's time at the University of

CRITICAL ISSUES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Chicago is a reminder that in many ways, though surely not in all, the Midwest was more egalitarian than the snooty East. The first female lawyer in the United States was Arabella Mansfield, admitted to the Iowa bar in 1869. In its recent opinion legalizing same-sex marriage, the Iowa Supreme Court reminded Iowans that the state has been consistently at the forefront of unpopular movements for social justice. And the court was right, even about Iowa's standing in the field of law in the Midwest. Although Missouri joined Iowa in admitting women to the bar in 1870, and a group of other Midwestern states quickly followed suit, the US Supreme Court upheld the exclusion of women from the Illinois bar in 1873; Myra Bradwell, the original plaintiff in the case, was admitted to the Illinois bar in 1890 and the bar of the Supreme Court in 1892. The District of Columbia and Maine admitted women to the bar in 1872, with the rest of the states on the East Coast doing the same by the early 1890s. Such regional differences barely figure in Stansell's account, but they are fascinating, and someone should investigate them further.

Gender hierarchy, like feudal hierarchy, leaves deep marks upon the human spirit.

A book of this sort, capacious as it is, cannot do everything, and the criticism of it that follows is no doubt colored by my own work in philosophy, law and public policy. Nonetheless, it seems clear to me that Stansell is indifferent to the role that ideas, particularly philosophical and economic ideas, have played in feminism's history. Many of her protagonists are writers and theorists, yet she devotes scant attention to their theories. Mary Wollstonecraft is given at least some consideration for her ideas about human rights in *A Vindication of the Rights of Woman*; but the compelling arguments with which she advanced them are omitted, so it is left entirely unclear why people ought to have listened to her. John Stuart Mill's *The Subjection of Women* is mentioned as a feminist landmark, but the arguments at its core are left unexamined. Simone de Beauvoir's *The Second Sex* is the only theoretical work of the modern era that merits a reading, albeit a cursory one that ignores its roots in existentialist ideas of freedom and self-fashioning. Catharine MacKinnon, the major intellectual architect of modern legal feminism, who reoriented thinking about equality and discrimination, is discussed in a couple of sentences, and strictly as an antipornography activist. The ideas that led MacKinnon to her theory of pornography and to her far more influential theory of sexual harassment are ignored. Indeed, in a very odd oversight, Stansell doesn't address the topic of sexual harassment in the workplace, an ongoing concern of feminists in the late twentieth century. My legal colleagues, whatever their political persuasion, routinely cite MacKinnon's *Sexual Harassment of Working Women* as one the most influential books in US legal scholarship. Around the time of its publication in 1979, political theorist Susan Moller Okin and economist Nancy Folbre were reorienting much influential thinking and policy-making about justice inside the family; Stansell does not mention either woman.

What do we miss when these ideas are overlooked? The ideas are important in themselves; but they also have immense importance for the practice of feminism and for the success of its efforts at social change. Let's take just three examples. In *The Subjection of Women*, Mill is at pains to show us that male domination has shaped not only women's opportunities but also their desires and emotional habits (a theme already broached by Wollstonecraft and that would prove central for MacKinnon and Andrea Dworkin). Thus the deference and timidity that women display toward men are not indicative of an immutable female nature, as many alleged in Mill's time. Rather, these characteristics are proof that gender hierarchy, like feudal hierarchy, leaves deep marks on the human spirit.

This insight has enormous consequences for theories of social development and measurements of "quality of life." Modern feminist economists such as Amartya Sen (winner of the Nobel Prize in 1998 for his development work) have argued that no theory of development based on the satisfaction of people's preferences could ever be normatively adequate: such a theory would always be an unwitting accomplice of an unjust status quo. The struggle to find a replacement for preference-based theories is no idle matter, since such theories are used throughout the world to measure social welfare. If women report that they are satisfied by the amount of education they have managed to attain, so the thinking goes, then they are doing fine—even though in many cases their preferences have been formed by social norms about proper female occupations. Thus Mill's insight, years later, determines the course of millions of women's lives—or, more often, fails to do so.

My second example concerns equality. Until the postwar era it was common in American law to think that equal treatment meant similar treatment, and that the "equal protection of the laws" could not possibly be violated by any symmetrical arrangement bearing on either race or sex. The principle of equal treatment was used by lower court judges, and some legal theorists, to defend laws against miscegenation: blacks can't marry whites, and whites can't marry blacks. How could such laws possibly involve a constitutional violation? The fact that African-Americans obviously bore the brunt of these laws, and that the laws were inspired by racial disgust, was left out of account. Similarly, laws that were symmetrical for women and men were also taken to be unproblematic, even when they imposed special burdens on women. If insurers denied coverage for pregnancy leave, they were not guilty of sex discrimination, so the argument went, because all "non-pregnant persons" were covered, and all pregnant ones were not covered—without regard to their sex! Sexual harassment, too, was taken to be an equal-opportunity matter, involving no illicit discrimination: after all, women could approach men for sexual favors, just as men could approach women. The hierarchy of power in the workplace was utterly ignored.

With *Sexual Harassment of Working Women*, MacKinnon offered a new and more adequate theory. She powerfully argued that sexual harassment (and other denials of equal opportunity) should be viewed through the lens of what she called a "dominance theory" of equality rather than through the old "difference theory." That is, the right question to ask of a problematic policy is whether it creates or perpetuates a hierarchy of power that defines classes of people as higher or lower, dominant or subservient. The "equal protection of the laws" requires resisting such hierarchies. In effect, MacKinnon's is an antifeudal account of political equality. The Supreme Court had already drawn on the principle at the heart of MacKinnon's dominance theory in the area of race when, in the 1967 case *Loving v. Virginia*, it invalidated antimiscegenation laws on the grounds that they were "designed to maintain White Supremacy." The fact that the laws were symmetrical on their face was immaterial. (The earlier invalidation of "separate but equal" schools, in *Brown v. Board of Education*, in 1954, rested on

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a similar analysis.) MacKinnon, however, articulated the contrasting theories with unprecedented clarity and applied them to the area of gender, where it had not previously been acknowledged in the law that an illicit hierarchy of power existed. (In *Sexual Harassment of Working Women*, MacKinnon cannily demonstrates that you can arrive at her conclusion that sexual harassment is discrimination even if you don't accept her controversial dominance theory of equality; nevertheless, it was her theory that eventually entered the judicial mind and reshaped legal doctrine.)

My final example concerns the family. For a long time in economics, the reigning concept of the family was that it was a unit held together by love and altruism, without cooperative conflicts that needed to be taken into account. Mill had long ago subjected that idea to withering criticism, arguing that the family as constituted in his time was a bastion of feudal privilege in the midst of the allegedly liberal state. But nobody took Mill's ideas seriously. In *A Treatise on the Family*, for which (among other contributions) he won the Nobel Prize in 1992, economist Gary Becker held that for analytical purposes we can assume that the "head of the household" is a beneficent altruist who always takes adequate account of the interests of all family members—an assumption that Becker, with his keen interest in reality, later criticized by acknowledging that motives such as envy and malice often shape the distribution of resources within the family.

Becker's determination, in his *Treatise*, to bring economic theory to the domain of family life was important and salutary. Nonetheless, the theory did some harm. Because development economists were highly swayed by Becker's theory, they assumed that the household can be treated as a single unit and so ignored internal distributional issues; consequently, it has been almost impossible until recently to get data about the resources and opportunities available to individual family members. Yet over the past thirty years, the dominant view of the family in economics has shifted to one in which ideas of competition and of a socially shaped bargaining position dominate. This change is due to the work of such feminist economists as Sen, Bina Agarwal and Robert Pollak; feminist political theorist Okin; and the important journal *Feminist Economics*, which provides a venue for the exploration of such ideas. The new ideas have reshaped data-gathering, as have, simultaneously, the ideas of Nancy Folbre and others about how to ascribe a monetary value to women's unpaid household labor (a very practical matter, as anyone will know who has sought compensation for the injury or death of a partner mainly occupied in domestic labor).

Such insights are gradually making their way into national policy, as demonstrated in the recent report on the measurement of a nation's quality of life commissioned by French President Nicolas Sarkozy and chaired by Sen and Joseph Stiglitz, with both Agarwal and Folbre as commission members. The key finding was that a nation's quality of life should not be measured by gross national product per capita but instead by assessing people's "capabilities," or substantial opportunities for choice. One sphere it emphasized was the family, where opportunities are often unequally distributed along lines of sex. The newer economic theories of the family have long been accepted working paradigms in India, a nation somewhat more progressive, in terms of economic theory, than the United States and even Europe, and that has a sophisticated economist, Manmohan Singh, as prime minister and, in Kaushik Basu, a chief economic adviser who is a strong feminist and the current president of the Human Development and Capability Association (founded by Sen and me). Maybe someday the ideas of the new feminist economics will even surface in the corridors of power in the United States, though I'm not making any bets on when.

These cases show that political history written with an aversion to theoretical ideas is incomplete even as history. Ideas matter for people, and they make things happen in the world. Feminism should not be wedded to a type of historical materialism that denies this insight. Many feminists have been historical materialists; Stansell is not. But she lacks interest in philosophy and economics, and she apparently believes that telling the story of feminist ideas is a job for another book. I believe, however, that the story she eloquently tells is woefully incomplete without them. If feminists today are to make good on the promises of their predecessors, mothers and daughters alike, they need to study the arguments, testing their cogency and tracing the ways they were linked to practical struggles to achieve justice and equality for women. Feminism has succeeded, to the extent that it has, partly by dint of its bold ideas; to overlook these ideas is to diminish feminism. ■

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DONN YOUNG/COURTESY CREATIVE TIME

J. Kyle Manzay (left) as Estragon and Wendell Pierce as Vladimir in Paul Chan's production of *Waiting for Godot*, New Orleans, 2007

Doing the Time

by NICK STILLMAN

Paul Chan first traveled to New Orleans in 2006 to give an artist's talk at Tulane University. He returned a year later to stage, with the backing of the art organization Creative Time, an unforgettable example of ephemeral public art: five gratis productions of *Waiting for Godot*, performed by the Classical Theater of Harlem in the flood-ravaged and mostly abandoned neighborhoods of Gentilly and the Lower Ninth Ward. In subsequent panel conversations and publications, the most recent being the collection *Waiting for Godot in New Orleans: A Field Guide* (Creative Time; $45), Chan repeatedly used the word "hallucination" to convey the city's haunting silence and unnerving darkness, and the parlous prospects for anything still alive and writhing. Grim and forsaken, post-Katrina New Orleans was an ideal setting for a play in which little happens in a blank landscape. But what is Chan really getting at when he calls the city a hallucination?

Part of it is the delirious cruelty of reality. Against its will, New Orleans was reconceived on the sly. A federally mandated wave of privatization outsourced rebuilding mostly to private contractors instead of using unemployed local residents. Three thousand city workers were fired. Dozens of public schools were closed and replaced by privatized charter schools. Housing projects were razed to make way for condos. All this, of course, came after federal funds initially earmarked for fortifying New Orleans's levees were siphoned into Bush's beloved Homeland Security Fund. Lately, another avoidable environmental catastrophe has again made southern Louisiana the country's primary site of mass public humiliation and anguish. "That's how it is on this bitch of an earth." That's not Antoine Batiste in *Treme* but Pozzo in *Godot*.

I think Chan's use of "hallucination" might also apply to the surreal texture of daily life in New Orleans. In a country so devoted to notions of privacy and the individual and so allergic to the public and collective, to label New Orleans "anomalous" within its American context is to shortchange reality. To call it a hardcore social hallucination does not. In New York, the only other American city where spontaneous cross-cultural interaction is commonplace, thousands see you daily and hardly anyone acknowledges you. The average stranger's affectation is annoyance at your invasion of a private moment. In New Orleans, disarming greetings, good-natured hustles and the general feeling of being enmeshed in everyone else's business is unavoidable, and if you're caught mispronouncing Tchoupitoulas or Burgundy, prepare to discuss what brought you to the Big Easy, bud. A stranger's affectation, and it's debatable that it is an affectation at all, is to care more than anything for a moment.

The de facto spokesperson of the New Orleans art community is undoubtedly the mixed-media artist Willie Birch. After the storm, during a panel on the art of recovery that also featured Chan, Birch thundered, "New Orleans found out how different it was in relationship to the rest of the United States. They found that it was community based. They found that the city, the core, as far as I'm concerned, comes from the bottom." Not everyone evokes New Orleans's difference as baldly as this, but anyone who has spent time here can feel it, and it's not just purple houses or étouffée: it's the surrealism of public space. A brass band might burst into a bar, blow a few riffs into the smoky air and vanish just as abruptly. People hang out in folding chairs and drink beer in street medians. Hustlers prowl the French Quarter telling anyone whose eye they catch, "I can guess exactly where you got those shoes." When they guess correctly that you got them right now on the ground at the corner of Decatur and Toulouse, they'll shine those shoes with dish soap and a rag and triumphantly cock their head, awaiting a tip. I can't even step outside my ground-level apartment to tend to some domestic task without an air of performance, knowing better than to disappoint the half-dozen or so porch-sitting or window-gazing sets of eyes trained on me.

After Katrina, it wasn't uncommon for out-of-town artists to visit the city and gawk with their Nikons or seek "inspiration" amid the rubble. They became known to the local art community as carpetbaggers. In late August one such ethically debatable project by an out-of-town artist traveled from the New York gallery ClampArt to New Orleans's Ogden Museum: Dave Anderson's portraits of residents of one Lower Ninth Ward block striving to rebuild their homes and lives after the storm. The issue isn't necessarily that Anderson's lush photographs of architectural debris and the grim faces of determined New Orleanians are patronizing. What nags is the bad form of venturing into a disaster zone with the primary intent of creating a personal body of work.

In "That Tree, That Levee," her con-

Nick Stillman lives in New Orleans and writes about art and baseball.

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tribution to *Waiting for Godot in New Orleans*, the writer Anne Gisleson wonders whether disaster tourism is contaminating New Orleans from within: "With all this post-Katrina cultural boosterism, I feel as though we're in danger of self-parody and provincialism, always pointing our fingers back at our own 'uniqueness' but always at the same uniquenesses, which become more and more commodified, less and less attached to their origins and ultimately threatening the true cultural strength of the city." In other words, by having second-line brass bands escort the audience for *Waiting for Godot* to their seats and serving those audiences gumbo, Chan was toeing a paper-thin line between summoning the "authentic" New Orleans and the one that has been the subject of voyeuristic awe.

A Field Guide goes to great lengths to make plain that the verdict doesn't apply to the bulk of Chan's *Godot* effort. Part scrapbook, part artist's book, and arranged thematically under chapter headings like "Remember," "Relate" and "Organize," the book is a multivocal project description. There are nineteen authors, none of whom could be considered a primary one, and their contributions foreground the daily grind: complex itineraries, eternal to-do lists and artless snapshots of sites in progress or people engaged in discussions, negotiations and rehearsals. In a 2007 artist statement reprinted in the book, Chan says that he's "allergic to working with people." Curious, then, how adamantly the book trumpets the project's social dimension and how completely Chan immersed himself in it. For those who participated in the project, its only heroic dimension was its inclusiveness. The performances of *Godot*, by all accounts incredible, are, if anything, downplayed. Creative Time curator Nato Thompson writes, "We realized that this social-organizing model is endemic to how New Orleans, as a culture, gets things done." *A Field Guide* isn't about the plays; it's about the life of an idea worked out in a community over eight months.

Chan understood something about New Orleans that most artists working in a site-specific way fail to grasp, despite the lip service they pay it in their press kits: the significance of simply being in the city for the long haul. The magic of Chan's *Godot* wasn't only that it drew large numbers of people to largely empty and mostly black neighborhoods of a very segregated city; it was Chan's insistence on maintaining transparency throughout a collective process. Potluck dinners and community meetings were as much a priority as the production of the play, and Chan made time to teach both a semester-long contemporary art seminar at the University of New Orleans and practicum workshops for student artists at Xavier University. By "doing the time," the project mantra of *The Field Guide*, Chan acquired enough local knowledge to recommend arts and civic organizations for donations from his Shadow Fund, a little-known facet of the *Godot* project for which Chan and Creative Time corralled donations of more than $45,000.

A few months ago, during a panel discussion at the New Orleans Contemporary Arts Center on collaborative art-making, one panelist matter-of-factly used the derogatory term "plop art" to describe public work that makes no attempt at a social connection to its site. The boundary between good and bad public art is a thorny one, but most of the public art projects funded by the local arts council in the wake of Katrina qualify as plop. A social gathering does not automatically make good public art, but the most memorable public art I've experienced here has been social in nature.

'Plop art' is public artwork that makes no attempt at a social connection to its site.

For a period of four weeks in May and June, four women from a group called Life is Art Collective established a semipublic residency for themselves called Eiffel Society in a majestic, vacant restaurant that was once a section of the Eiffel Tower. They referred to their activities (creating a biodynamic garden, hosting invited guest artists, focusing on their art, living in public) as a "living installation/performance" and vowed to remain on site for the entire month. Visitors were welcome and were generously guided through the architectural curiosity and given lengthy studio visits. The group's previous projects include several feasts and the establishment of an urban farm at its St. Roch headquarters tended by neighborhood kids who sell the fruits and vegetables to local restaurants.

AORTA Projects, a grassroots organization run by the dynamic New Orleans artist Elizabeth Underwood, has established a reputation in the city for fostering antiplop public art. After securing sites in neglected or storm-damaged areas through negotiations with local government and church leaders and by simply listening to the needs of residents, Underwood invites artists to create work that prompts dialogue with residents and community leaders. For Pittsburgh artist Sean Derry's 2007 project in the Mid-City neighborhood, thirty-five life-sized, car-shaped fabric balloons were inflated with a bellows system designed by the artist in an unused parking lot. Derry's installation caused exactly the ripple effect Underwood hoped for: the local press subsequently reported on the impoverished conditions of the neighborhood; artists, residents and nearby homeless men and women commingled at the site, where free food was available; and the business adjacent to the parking lot began to tend to its property.

At the height of the siege of Sarajevo in 1993, Susan Sontag famously produced a version of *Waiting for Godot* with local actors, and her lengthy essay on the experience is reproduced in *Waiting for Godot in New Orleans*. "Beckett's play, written over forty years ago, seems written for, and about, Sarajevo," she wrote. "In Sarajevo, as anywhere else, there are more than a few people who feel strengthened and consoled by having their sense of reality affirmed and transfigured by art." When Godot's messenger boy visits Vladimir and Estragon for the second time to deliver the message that Godot will again not be coming, he asks what response he should deliver to his boss. "Tell him that you saw me," Vladimir responds. There is importance in making suffering visible and transfiguring it through art, but providing visibility isn't the same as committing to the all-consuming process of listening, especially when you're countenancing a hallucination on the scale of New Orleans. "You gotta leave something behind for the community," Ronald Lewis, founder of the House of Dance and Feathers, a museum that documents New Orleans's irrepressible Mardi Gras Indian culture, told Chan when asked how to do *Godot* in what he considered a locally responsible way. And so Chan left behind almost $50,000 in donations, but the artist who was allergic to working with people also left behind a legacy of accessibility and transparency, and commitment to see the city before the city saw what he wanted to show it. Paul Chan saw New Orleans, but much more important, New Orleans saw Paul Chan. ■

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Jesse Eisenberg (left) and Justin Timberlake in *The Social Network*

Traps

by STUART KLAWANS

If the word "breathless" were still available, maybe David Fincher and Aaron Sorkin could have chosen it as the title of *The Social Network*, their lightning-quick zigzag through the rise of Facebook and the demise of all the nonvirtual relationships from which it sprang. Reviving the old Warner Bros. tradition of ripping films from today's headlines—or, rather, carrying back into a big-studio production the headline-tearing methods that remain common in television, where Sorkin is their master—*The Social Network* makes crackling, often hilarious drama out of events that began in Mark Zuckerberg's Harvard dorm room a mere seven years ago, reached a (very temporary) legal stopping point in 2008 and were put into book form (as Ben Mezrich's *The Accidental Billionaires*, credited as the screenplay's source) only in 2009.

You'd better not get self-indulgent if you want to toss off a film this fast; and indeed, Fincher has directed *The Social Network* head-on, without fudging a single camera setup or wasting a single shot (except for putting in one too many images of a caged hen—and that doesn't matter, since the chicken is funny). You may judge the efficiency of Fincher's methods by that zigzag effect I mentioned. Although *The Social Network* is structured as a double flashback—scenes of two different legal depositions in 2008 call up memories of 2003–04—the to-and-fro seems only to make the action accelerate.

The result is not a work of reliable reportage (something that only a mug would have expected it to be); nor is it, as some commentators are claiming, the story of a generation. (If the latter film is what you want, don't go looking for it in the portrait of an exemplary billionaire. Wait for the movie about the 20-year-olds who were shipping out to Iraq and Afghanistan when Zuckerberg had his brainstorm, or who can't find jobs today.) In fact, *The Social Network* doesn't even tell you that much about social networks. What it does go into, fictionally but with strong critical intelligence, is the presumed difference between Zuckerberg's attitudes and expectations and those of other people, members of his own generation included, whose thinking was about five minutes behind his. I take this difference to be the real subject of the movie. If the word had not already been taken, maybe Fincher and Sorkin could have called it *Contempt*.

This is a story that begins with a callous put-down, immediately escalates to public slurs (against one young woman at Boston University and every female undergrad at Harvard) and reaches its thematic high point when a character proudly remarks that one of his actions had not been a smart business move but was a great way of saying "Fuck you." Formally, *The Social Network* makes its strongest statement through a densely layered soundtrack in which the voices are often thoroughly blended into the ambient noise: an environment of omnidirectional chatter and continual buzz where you lean in to catch one line of dialogue while the speakers are already racing into the next. Dramatically, though, the most lasting impression *The Social Network* might leave is the image of its fastest thinker and talker as he rouses himself from a seeming torpor to tongue-lash an attorney three times his age. In return for a perceived condescension, Zuckerberg returns the real thing, red-hot and self-righteous, while scarcely looking at the object of his scorn.

This act of self-revelation is all the more striking for its rarity. Zuckerberg allows himself only a couple of others throughout the course of the film, and one of those hardly counts, given that he delivers it as a drunken blog post, written after his girlfriend walks out on him. The wonder of *The Social Network* is that Jesse Eisenberg, with his smooth and melancholy Jewish face, gets you precisely halfway onto Zuckerberg's side. A specialist in bright, vulnerable brooders with a bit of a mean streak (see *The Squid and the Whale* or *Adventureland*), Eisenberg plays Zuckerberg as a genius-level wolf-boy: someone who is so smart that he feels entitled to say whatever's on his mind, however brutal, and resents other people for resenting him for it. Abrasive in voice and manner, arrhythmic in gesture, humorless (though he doesn't think so), the character doesn't bother to talk about his feelings because nobody's worthy to hear about them, and besides, he's really interested only in behaviors. Meanwhile, behind the actor's deep-shadowed eyes, you sense an almost desperate sweetness. It's Zuckerberg's fatal flaw that he would never let anyone see that part of himself, and Eisenberg's triumph that he gets through the entire movie without once begging you to notice it.

Appearing as contrasting foils to this character are the reedy and quick-witted British actor Andrew Garfield as Eduardo Saverin, Zuckerberg's original business partner and sole friend at Harvard, and the very large Armie Hammer in a dual role as Cameron and Tyler Winklevoss, upperclassmen (in all senses) who briefly imagine they have hired Zuckerberg to work for them. The first mistakenly thinks that well-formulated, carefully executed business plans still lead to success (and can hold Zuckerberg's attention). The second foolishly believes that scholar-athletes with old money naturally have success coming to them (and can excite anything in Zuckerberg other than rancor). The only character to catch on to Zuckerberg, and catch what passes for his loyalty, is another online entreprovocateur: Sean Parker, inventor of Napster, played brilliantly by a snaky yet sexless Justin Timberlake.

A movie about the least cool guy in the world who invents the next cool thing, the guy who can't accommodate himself to any group and so smashes all of them, *The Social Network* delivers a current-affairs jolt that's been sorely lacking in the multiplexes. You know what it's about even before you see it, and you know why it's relevant without being told. But at the deepest level of its investigation into Internet capitalism, portrayed here as a nonsystem with an aggravated ethos of creative destruction, *The Social Net-*

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work blurs recent history into contemporary myth. What is its central figure, if not the Ivy League fulfillment of Heath Ledger's Joker in *The Dark Knight*? Zuckerberg, too, could say, from atop his pile of money, "I don't make plans. I just—*do* things."

OVER THE PAST SUMMER, YAEL Hersonski's *A Film Unfinished* began to play theatrically across the country, bringing audiences the disquieting experience of viewing authentically fabricated images of the Warsaw Ghetto. These pictures—about sixty minutes of them, which serve as the core of Hersonski's documentary—were shot in the ghetto in May 1942, shortly before the beginning of the deportations to Treblinka, capturing whatever was placed in front of the camera. But because these scenes were planned and realized by the Nazis for their own purposes, they are, in large measure, inventions.

Seemingly abandoned while still in rough cut, with neither a soundtrack nor titles added, this dubious material was never accounted for in the Nazis' meticulous records of their propaganda work. The reels disappeared until 1954, when archivists discovered them in the East German vaults. Subsequently, filmmakers began to use snippets of this semi-raw footage to illustrate the misery of the ghetto. They did so, however, without commenting on the source of the images or acknowledging the existence of the strange, improbable scenes of Jewish luxury that alternated with the pictures of utter wretchedness.

This willfully naïve approach became less

In Our Orbit

Fair Warning

by FREDERICK DEKNATEL

The embarrassing percentage of Americans who believe Barack Obama is a Muslim Manchurian candidate sent to impose Sharia—or is it socialism?—from sea to shining sea should take a look at the Pentagon's books. Earlier this year Obama, formerly the partial antiwar candidate, sent Congress the largest defense budget since World War II: $708 billion for the fiscal year 2011, a sum that surpassed the 2010 defense budget of $626 billion, which grew this spring by $33 billion—the initial outlay for an additional 30,000 soldiers in Afghanistan. Nearly $160 billion of the 2011 budget (up from $128 billion in 2010) covers "Overseas Contingency Operations," the wars in Afghanistan and Iraq. These bloated numbers, plus the less-reported budgets and contingencies that reveal themselves in drone strikes in Pakistan and Yemen, are not just "part of Pentagon blank-check-ism in Washington," in Tom Engelhardt's terms. They are also proof that "war is now the American way," as he writes, "even if peace is what most Americans experience while their proxies fight in distant lands." At the outset of his damning new book, *The American Way of War: How Bush's Wars Became Obama's* (Haymarket; $16.95), Engelhardt, a Nation Institute fellow, writes, "And peace itself? Simply put, there's no money in it."

The collection is a culling of essays published on Engelhardt's TomDispatch website since 2004, and the same note is struck in piece after piece after piece: America is an empire, its actions imperial. The signs are not just Iraq and Afghanistan but the increased drone attacks in Pakistan and the Pentagon's expansion of "lily pad" bases—relatively small posts from Central Asia to Southeastern Europe and the Horn of Africa that are "meant to encircle and nail down control of this vast set of interlocking regions." The massive fortified embassies under construction in Baghdad and Islamabad, home to more soldiers, spies and cost overruns than diplomats, "will, assumedly, anchor the U.S. presence in the Greater Middle East."

Engelhardt does not trace American militarism solely to the "war on terror." With quick pace, he tells a history of fear and triumph that followed Pearl Harbor and the atomic bombings of Japan, which not only exposed the world to the reality of nuclear war but also showed Americans, with Hollywood's help, the image of a catastrophic attack on the "homeland." The term that was forged on 9/11 "once was an un-American word, more easily associated with Soviet Russia or Nazi Germany." Yet it has "replaced 'country,' 'land,' and 'nation' in the language of the terror-mongers. 'The homeland' is the place that terrorism, and nothing but terrorism, can violate."

History and polemic mix in punchy chapters about the rise of aerial warfare, the acceptance of civilian deaths as "collateral damage" and the language of war. Engelhardt laments the lack of journalistic coverage of the air wars over America's distant battlefields, whether by manned jets and helicopters or, increasingly, remote-controlled drones. Media reports rarely cite "any cumulative figures on air strikes in Iraq or Afghanistan per day, week or month." Why are no reporters taking to the skies above Iraq to survey the destruction of its cities? Along with the permanent American bases in Iraq, in Engelhardt's view, "the expansion of U.S. airpower is the great missing story of the post-9/11 era."

Also missing is the willingness of the political class to imagine a foreign policy not in thrall to a war machine. Since war and security are now synonymous, and victory is meaningless, Washington is a war capital, and the United States a militarized country, even if it doesn't look like it at home. "We live in a world of American Newspeak," he writes, "in which alternatives to a state of war are not only ever more unacceptable, but even harder to imagine." America has been without a decisive military victory since World War II—Grenada, Panama and the 1991 Gulf War aside—but that is irrelevant. The reality, created in the cold war and exploited after 9/11, is an "ongoing war system [that] can't absorb victory," because victory is the end of military spending and rhetoric. War, Engelhardt argues, "is increasingly a state of being, not a process with a beginning, an end, and an actual geography." National security and the "war on terror" feed a perpetual state of insecurity that sustains and justifies the national security state. At least four times since the invasion of Iraq, the United States has declared Iraq sovereign. After every announcement, garrisons of American troops have remained, with billions in Congress-approved budgets supporting them, whether they are designated for combat or not.

Engelhardt excels at extracting lurid details from the annals of America's ongoing state of war. He has an editor's eye for the most revealing line buried at the bottom of a war correspondent's dispatch or an intelligence report filed in Washington. One of his best details is of the pilots who operate the unmanned drones that drop missiles on Afghanistan and Pakistan. Some work at computer screens on the outskirts of Las Vegas. When a day's work is over and the pilots leave Creech Air Force Base, a sign warns them to "drive carefully"—this is "the most dangerous part of your day." A fair warning; the threats are made at home. ■

Frederick Deknatel is a freelance journalist based in Oxford, England.

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tenable in 1998, when a British researcher stumbled upon some thirty minutes of apparently discarded material from the Warsaw Ghetto film: multiple takes of scenes, which left no doubt that they had been staged. Still, until Hersonski, no one has thought to exhibit this material as an artifact, drawing attention to its puzzles, self-contradictions and lies.

In *A Film Unfinished*, Hersonski has embedded the extant footage within a critical scaffolding—one with several tiers, not all of them equally sturdy. Its elements are a discursive soundtrack narration; readings from the diary of Adam Czerniakow, head of the ghetto's Jewish Council, who made notes about his forced participation in the filming; a dramatic re-enactment of official testimony given by one Willy Wist, the only member of the Nazi camera crew ever to have been identified; and scenes of octogenarian Warsaw Ghetto survivors watching the footage, and responding to it, in a screening room in Israel. The method is complex; but what we learn from *A Film Unfinished* can be summed up simply enough. The Nazis most likely intended to represent the Warsaw Ghetto as a hell of the Jews' own making. In manufacturing this horrific fiction, they unavoidably recorded traces of horrific reality.

It's perfectly clear which side Hersonski takes in this conflict between actuality and fabrication; but it's also clear that she is a media sophisticate who is familiar with the argument that supposedly nonfiction films have always been paradoxical, starting with *Nanook of the North*. If it's accurate to say that even the most blatantly made-up movie retains a residue of the facts that were before the lens, then it's also necessary to admit that the documentarian's camera records circumstances, not truths, out of which the film's subject is constructed more than revealed.

This argument is incontrovertible, in a minor way. How minor, Hersonski shows by an implicit contrast: between the magnitude of the crime witnessed (and covered up) in the Warsaw Ghetto footage, and the triviality of the offense she herself commits by staging scenes for *A Film Unfinished*.

But there is perhaps an even stronger case to be made for the potential truthfulness of documentary constructions, as seen in a film that's just now being released—another artifact, as it happens, from the era of the Warsaw Ghetto footage. This film, too, is tendentious, and even propagandistic; but it is going into theaters with no interpretive scaffolding, as if the people responsible for reviving it trusted audiences to understand the material on their own.

Released in Germany in 1948, this documentary—*Nuremberg: Its Lesson for Today*—was made as the US government's official film account of the Allied powers' trial of Nazi high officials. Written and directed by Stuart Schulberg, and produced by Schulberg and Pare Lorentz (who dropped out, or was pushed, before the project was completed), *Nuremberg* was meant to be shown not only to the vanquished Germans but also to American audiences. That latter release never happened. Although it seems that at least some US officials tried to secure domestic studio distribution for the film, the government shelved *Nuremberg*—perhaps because by 1948 it was no longer politically expedient to show scenes of a Red Army prosecutor taking the moral high ground. *Nuremberg* became another unseen, all-but-forgotten film.

It has resurfaced thanks to a restoration by Sandra Schulberg (daughter of the writer-director, and a distinguished figure in independent film) and Josh Waletzky (best known as the director of *Partisans of Vilna*). Because the prints found in an American archive turned out to be badly deteriorated, Schulberg and Waletzky based their restoration on a German print—a fortunate necessity, since it makes the intention of *Nuremberg* unmistakable. Over introductory images of Germany in utter ruin, a narrator intones, "The people wanted to know the answers. They wanted to know what happened, and why." (We get to hear these words in English, recorded by Liev Schreiber in perfect reproduction of the period style.) Whether "the people" actually wanted to know is not so certain; but the trial was meant to tell them, and films, this one included, were integral to the telling.

The prosecutors introduced two compilation documentaries into evidence at Nuremberg: *The Nazi Plan*, detailing the party's rise to power and pattern of aggression, and *Nazi Concentration Camps*, showing what US and British troops had found at the liberation. In making *Nuremberg*, Schulberg followed the prosecutors' case point by point, going back and forth frequently from the images shot in the courtroom to the images presented in evidence. You might say, then, that *Nuremberg* is a construction made largely out of other constructions.

It is not a lie. You can judge for yourself, thanks to the clarity with which Schulberg and Waletzky have chosen to present it. *Nuremberg* is unquestionably a fabrication, which bears the marks of its time and purpose—but the reason it has the power to shock, appall and infuriate is because of its truth.

Nuremberg does have a lesson for today—which can be studied at its special presentation at the New York Film Festival, and at its US theatrical premiere run at New York's Film Forum. ■

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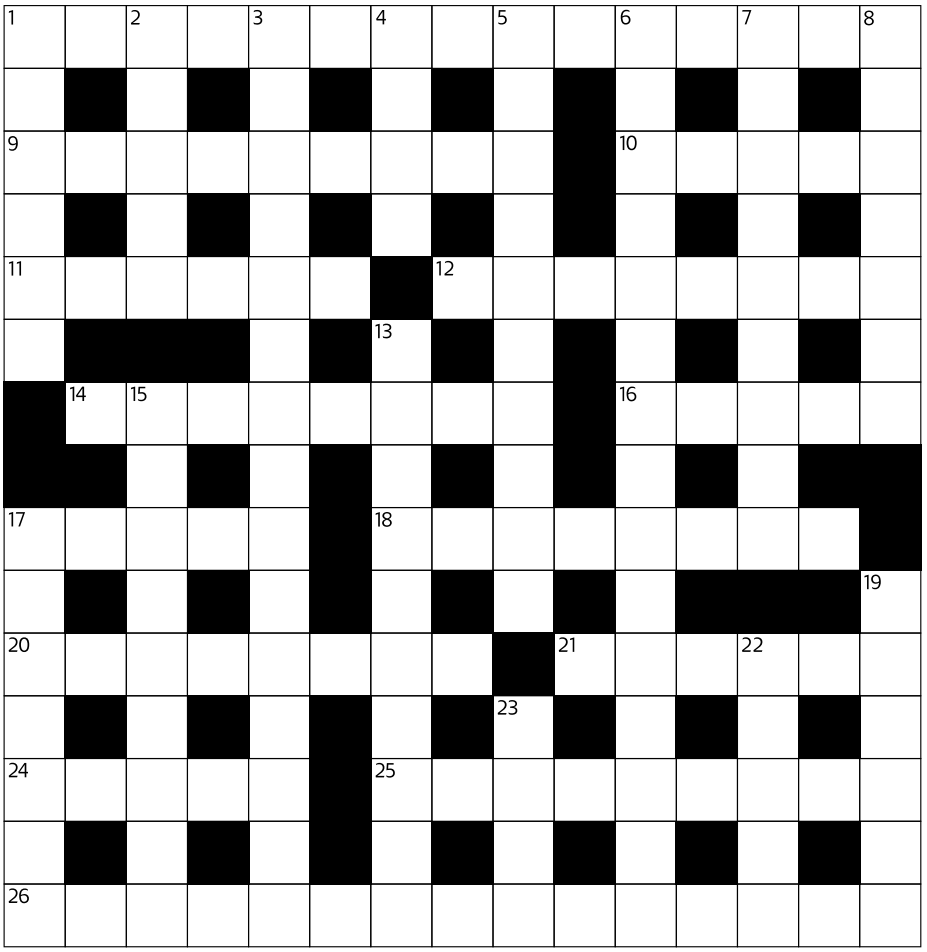
Puzzle No. 1604

FRANK W. LEWIS



ACROSS

1 What the Duchess was doing to her baby, in general terms. (7,8)

9 It's fundamental when most of the price has pencil alterations. (9)

10 The proportion of air to change? (5)

11 They may be used by foreign ships, and partly American, also. (6)

12 They move around, possibly because they could be smarting. (8)

14 Grouse parasites? Not exclusively! (4,4)

16 Tosses a coin, with very emotional overtones nowadays. (5)

17 Stray goat in part, but still stray. (5)

18 One might be tempted if you are. (8)

20 The last place to look for lilacs, according to Whitman. (8)

21 Acted like the first of 14, as they say. (6)

24 One from Baghdad, possibly. (5)

25 Food should have such value. (9)

26 True charger, seen to be false—being drunk, possibly! (5,10)

DOWN

1 Bundle up again. (6)

2 19 to make a firm one. (5)

3 The character of pie-filling to such as Sibelius. (11,4)

4 Pays to be distilled from barks? (4)

5 A sign of quiet to those who live someplace like Washington, typically. (10)

6 Hornet, typically. (8,7)

7 One of those good paving materials when the road goes down? (9)

8 Takes in something presumably above the net. (7)

13 Tool perhaps for one who likes to smoke twist. (4,6)

15 Reason enough to dole out drink? (9)

17 Moving like the head of 14. (7)

19 Stick a notice on this place. (6)

22 Up, not down, about crisis material, in force overseas. (5)

23 The one in the picture who comes up with a mild expletive? (4)

This puzzle originally appeared in the October 25, 1975, issue.

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SOLUTION TO PUZZLE NO. 1603

A	L	L	W	E	L	L	■	B	U	L	L	D	O	G
M	■	E	■	N	■	O	■	Y	■	E	■	A	■	R
A	R	A	M	A	I	C	■	R	E	V	E	N	G	E
N	■	V	■	C	■	U	■	O	■	E	■	D	■	E
O	V	E	R	T	■	S	A	N	H	E	D	R	I	N
F	■	S	■	M	■	T	■	I	■	■	■	U	■	E
■	F	■	L	E	A	S	■	C	H	A	M	F	E	R
E	E	L	■	N	■	■	■	■	■	L	■	F	L	Y
S	W	A	T	T	E	R	■	A	B	L	E	■	M	■
T	■	B	■	■	■	E	■	N	■	O	■	T	■	E
I	N	U	N	D	A	T	E	D	■	W	O	R	D	S
M	■	R	■	U	■	I	■	G	■	A	■	I	■	C
A	G	N	O	M	E	N	■	O	W	N	U	P	T	O
T	■	U	■	P	■	U	■	O	■	C	■	L	■	R
E	N	M	A	S	S	E	■	D	E	E	P	E	S	T

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